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INDEX TO EXECUTIVE DOCUMENTS OF HOUSE OF REPRESENTATIVES.

CONTENTS OF THE VOLUMES.

Vol. 1..FOREIGN RELATIONS: No. 1, pt. 1.
Vol. 2..WAR: No. 1, pt. 2, v. 1.
Vol. 3.. ENGINEERS: No. 1, pt. 2, v. 2, pt. 1.
Vol. 4.. ENGINEERS: No. 1, pt. 2, v. 2, pt. 2.
Vol. 5.. ENGINEERS: No. 1, pt. 2, v. 2, pt. 3.
Vol. 6.. ENGINEERS: No. 1, pt. 2, v. 2, pt. 4.
Vol. 7.. ORDNANCE: No. 1, pt. 2, v. 3, and SIGNAL: No. 1, pt. 2, v. 4, pts. 1 and 2.
Vol. 8..NAVY: No. 1, pt. 3, v. 1.
Vol. 9.. No. 1, pt. 3, v. 2.
Vol. 10..POSTMASTER-GENERAL: No. 1, pt. 4.
Vol. 11..INTERIOR: No. 1, pt. 5, v. 1.
Vol. 12.. No. 1, pt. 5, v. 2.
Vol. 13.. No. 1, pt. 5, v. 3.
Vol. 14.. GEOLOGICAL SURVEY: No. 1, pt. 5, v. 4.
Vol. 15.. EDUCATION: No. 1, pt. 5, v. 5.
Vol. 16 .DISTRICT OF COLUMBIA: No. 1, pt. 6.
Vol. 17..AGRICULTURE: No. 1, pt. 7.
Vol. 18..Nos. 1, pt. 8, and Nos. 4 and 7.
Vol. 19 .No. 2, FINANCE REPORT.
Vol. 20 .No. 3, parts 1 and 2, Currency Report.
Vol. 21..Nos. 5, 174, and 394, Estimates.
Vol. 22..No. 6, part 1, Commerce and Navigation.
Vol. 23..No. 6, part 2, Internal Commerce.
Vol. 24..Nos. 8 to 39, inclusive, except No. 14.
Vol. 25..No. 14, Tests of Iron and Steel.
Vol. 26..Nos. 40 to 105, inclusive, except No. 55.
Vol. 27..No. 55, Coast Survey, 1889.
Vol. 28..Nos. 106 to 140, inclusive, except No. 113.
Vol. 29..No. 113, Contracts for Carrying the Mails.
Vol. 30..No. 113, pt. 2, Fines and Deductions.
Vol. 31..Nos. 141 to 212, inclusive, except No. 174.
Vol. 32..Nos. 213 to 263, inclusive.
Vol. 33..No. 264, parts 1 and 2.
Vol. 34..Nos. 265 to 294, inclusive.
Vol. 35..Nos. 295 to 391, inclusive, except No. 336.
Vol. 36..No. 336. Report Commissioner of Labor.
Vol. 37..Nos. 392 to 470, inclusive, except Nos. 394, 410, 436, and 437.
Vol. 38..No. 410, part 1 } Paris Exposition.
Vol. 39..No. 410, part 2 }
Vol. 40..No. 410, part 3 }
Vol. 41..No. 410, part 4 }
Vol. 42..No. 410, part 5 }
Vol. 43..No 436, Treasurer's Accounts, 1889.
Vol. 44..No. 437, Commercial Relations, 1887-'88.

INDEX TO THE DOCUMENTS.

Subject.	No.	Vol.
A.		
Agriculture, Secretary of, communications from:		
Annual Report of, for 1889 ..... [Part 7].	1	17
North Dakota Experiment Station, in reference to an appropriation for	423	37
Silk culture, report upon the operations of the Women's Silk Culture Association	110	28
Statement of expenditures of Agricultural Department for year ended June 30	104	26
Agricultural Experiment Station:		
Letter from the Secretary of Agriculture in reference to an appropriation for the North Dakota	423	37
Alaska:		
Estimate from Secretary of the Interior of an appropriation for the purchase and maintenance of a steam vessel for use of the civil authorities of	93	26
Appropriation to repair Government building at Sitka	146 288	31 34
Estimate from the Secretary of the Navy of an appropriation for the erection of marine barracks at Sitka	103	26

Subject.	No.	Vol.
Alaska—Continued.		
Estimate of Secretary of the Treasury for the maintenance of the refuge station at Point Barrow	249	32
Letter from the Secretary of the Treasury recommending an appropriation for the establishment of a light and fog-signal at St. Mary's Island	259	32
Compulsory school attendance in	321	35
Increase in estimate of Secretary of Interior for the education of children in, for 1891	303	35
Alien contract labor law, number of suits under	206	31
Allen, J. B., amended estimate from Attorney-General to compensate	391	35
Alloway Creek, New Jersey, reports upon survey of	60	26
American cemetery, Acapulco, Mexico, communication from Secretary of State, reqesting an appropriation for the improvement of the	317	35
Angel Island Quarantine Station, California, increased estimate of Secretary of the Treasury of appropriation for the	154	31
Ante bellum mail service, etc., letter from Secretary of the Treasury transmitting certain claims for, and of the Pere Marquette Railroad Company and Pacific Mail Steamship Company	418	37
Appoquinimink Creek, Delaware, report of survey of	19	24
Appropriations:		
Estimate of Secretary of Treasury for service of fiscal year ending June 30, 1891	5	21
Military Academy, estimate from the Secretary of War of, for the	159	31
Estimates of Secretary of the Treasury of deficiencies for year 1890 and prior years	174	21
Army	262	32
Letter from Secretary of the Treasury concerning bill (H. R. 3823) to repeal laws relating to permanent and indefinite	274	34
Letter from the Commissioner of Pensions, asking an appropriation for thirty medical examiners	329	35
Supplemental estimates of, required for the various Departments for fiscal year ending June 30, 1890, and prior years	394	21
Indian appropriation bill	405	37
Letter from the Secretary of Agriculture in reference to an appropriation for the North Dakota experiment station	423	37
Arizona, laws of fifteenth legislative assembly	109	28
Arkansas and Mississippi, undelivered land patents in	416	37
Army:		
Appropriations for the support of the	262	32
Estimate from the Secretary of War of a deficiency in the appropriation for pay of the	236	32
Estimate of Secretary of War of deficiency in appropriation for pay, etc., of the	430	37
Petitions for increase in pay of noncommissioned officers of the staff	170	31
	245	32
	324	35
	277	34
	295	35
Petitions of veteran privates of the, for a reduction in the limit of thirty years for retirement	319	35
Relative to regular supplies, Quartermaster's Department	292	34
Reports of purchases of supplies for use of the, for 1889	256	32
Relative to lineal promotions in the	326	35
	424	37
Petitions to reorganize the band of the United States Military Academy	446	37
Report relative to purchasing instruments for heavy artillery practice	73	26
Estimate of Secretary of War of a deficiency in the appropriation for pay, etc., of the	348	35
Transmitting letter relating to mileage of officers of the	399	37
Army Gun Factory, increased estimate from Secretary of War for machinery and plant at the	214	32

Subject.	No.	Vol.
Arnoux, W. H., request of Secretary of the Navy for an appropriation for compensating for services as counsel	314	35
Arrears of pay and bounty for volunteers, estimate of the Secretary of the Treasury of appropriation for	116	28
Arsenals, letter from Secretary of War relating to estimates of appropriations for the, at Indianapolis, Ind., and at West Troy, N. Y.	193	31
Artificial limbs, estimate of the Secretary of War of deficiency in the appropriation for	228	32
Atlantic and Pacific Railroad Company, estimate from the Secretary of the Interior for survey of the land grant to the	250	32
Attorney-General, communications from:		
Annual Report of	7	18
Contract labor law, number of suits under	206	31
Courts of the United States, estimates of expenses of	362	35
Claims for witness fees, Department of Justice	192	31
District of Columbia, number of persons arrested for murder, manslaughter, etc., in the	266	34
Oklahoma Territory, compensation of marshals for services in	421	37
Sitka, Alaska, appropriation to repair Government building at	146 288	31 34
Sioux City, Iowa, office for district clerk at	411	37
Texas, employment of counsel, etc., in the prosecution of suit relating to Greer County	404	37
Tuthill, Richard H., claim of	434	37
United States, judgment in cases against the	337	35
Aquia Creek, Virginia, report of survey of	135	28
B.		
Barge Office at New York, letter from the Secretary of the Treasury, requesting that the sum of $20,000 be appropriated to cover the cost of repairs on the	350	33
Beaufort River, North Carolina, report upon survey of	42	26
Beet-sugar taxes, letter from the Acting Secretary of State relative to tariffs of Austria-Hungary, Germany, and France on, and export bounties	191	31
Belfast Harbor, Maine, reports upon survey of	81	26
Beverly Harbor, Massachusetts, report upon survey of	27	24
Big Black River, Mississippi, improvement of	216	82
Bishop & Co., communication from Secretary of State in relation to an appropriation to pay the claim of	231	32
Blinn, Richard F., claim of	130	28
Board of Pension Appeals, letter from the Secretary of Interior relative to an increase in the number of members of the	141	31
Boeing, William, for the relief of	133	28
Bradford, Commander Royal B., estimate of Secretary of the Interior of an appropriation to compensate	244	32
Breadstuffs and provisions, message relating to importations of	392	37
Brown's Creek, New York, report upon survey of	22	24
Buildings for garrison purposes, estimate from Secretary of War of appropriation for	162	31
Bureau of Engraving and Printing:		
Estimates of appropriations for additional buildings for use of the	235	32
Request of the Chief of the, for an additional appropriation for compensation of employés on account of overtime work	304	35
Bureau of Pensions, transfer of, to the War Department	296 300	35 35
Bureau of Statistics:		
Twelfth number of Statistical Abstract, prepared by the	13	24
Request of Secretary of the Treasury for a provision in legislative appropriation bill for employment of a special statistical clerk in the	163	31
Burial lots for Fort Porter, estimate from Secretary of War of an appropriation for the purchase of, in Forest Lawn Cemetery, New York.	47	26
Byrne, Edward, relative to reinstatement of, as captain of cavalry	233	32

Subject.	No.	Vol.
C.		
Cadet Hospital, West Point, letter from Secretary of the Treasury transmitting an estimate from Secretary of War of appropriation to change the plumbing in the	349	35
Cape Charles City, Va., report upon survey of harbor of	29	24
Carlisle, Pa.: Estimate of Secretary of Interior for buildings, etc., for Indian school at	221	32
Caswell, T. T., request of Secretary of the Navy for authority of Congress to relieve Pay Inspector, U. S. Navy, of checkage against his account	232	32
Cedar Bayou, Texas, reports upon survey of bar at mouth of	84	26
Cemeteries, Acapulco, Mexico, communication from the Secretary of State requesting an appropriation for improvement of the American cemetery at	317	35
Chapin, E. E., letter from Attorney-General submitting the claim of, as assistant attorney, eastern and western districts, Wisconsin, for appropriation	441	37
Chargé d'affaires *ad interim*, letter from Secretary of State relative to a deficiency appropriation for salaries of	225	32
Cherokee Indians, appropriation to negotiate with the	400	37
Chesapeake Bay, right of way of vessels in channel in and from, to Baltimore	339	35
Chester River, Maryland, reports upon survey of	65	26
Chickahominy River, Virginia, reports upon survey of	41	26
Chickamauga Battlefield, estimate from Secretary of War for an appropriation of $3,000 for maps of	175, 442	31, 37
Chief clerk General Land Office, letter from Secretary of Interior recommending an increase in the salary of the	142	31
Chief of Engineers:		
Annual Report of, Part 1, vol. 2 [Part 2].	1	3
Part 2, vol. 2 [Part 2].	1	4
Part 3, vol. 2 [Part 2].	1	5
Part 4, vol. 2 [Part 2].	1	6
Chief of Ordnance, Annual Report of [Part 2].	1	7
Chincoteague Inlet, Virginia, report on improvement of	207	31
Chippewa Indians in Minnesota, for the relief and civilization of the	247	32
Cigars, recommendation of Commissioner of Internal Revenue of certain amendments to existing laws taxing manufacturers of	363	35
Civilian engineers, statement of, for 1889	118	28
Civil officers, letter from the Secretary of the Treasury transmitting draft of a bill "To limit and define the term of all of the United States, appointed for a fixed term"	335	35
Civil Service Commission:		
Sixth report of the United States [Part 8].	1	18
Supplemental estimate of the, for salaries, etc., in the office of the	301	35
Claims:		
List of, allowed under act of July 4, 1864, since January 17, 1889	126	28
Schedule of, allowed by the accounting officers of the Treasury under appropriations balances of which have been exhausted or carried to the surplus fund	144	31
List of all, allowed by accounting officers of the Treasury, enumerated in House Ex. Docs. Nos. 55 and 153, Forty-eighth Congress, second session	314	35
Relating to an appropriation to pay the, of the Seneca Indians	340	35
Of certain States on account of "refunding to States expenses incurred in raising volunteers"	413	37
Clerical force for Second Auditor's Office, letter from Second Auditor recommending an appropriation for ten additional clerks	433	37
Clerical force, applications from Third and Fourth Auditors for increased	440	37
Coast and Geodetic Survey:		
Estimate of deficiencies in the appropriations for service of the, for fiscal year 1890	46	26
Annual Report for 1889	55	27
Statement of expenditures on account of the, for fiscal year ended June 30, 1889	90	26

Subject.	No.	Vol.
Coast and Geodetic Survey—Continued.		
Letter from Secretary of the Treasury, recommending the purchase of an additional building for use of the	153	31
Coast and Geodetic Survey steamer *Gedney*, estimate of Secretary of the Treasury for repairs of the	171	31
Coaster's Harbor Island, reports upon survey of	63	26
Cocheco River, New Hampshire, reports upon survey of, from Dover to its mouth	74	26
Columbia River:		
Report upon obstructions in the	64	26
Improvement of	101	26
Columbia River, light-ship *Oregon*, estimate of additional appropriation of $10,000 to complete the	237	32
Commerce and Navigation:		
Report of Chief of Bureau of Statistics on foreign commerce	6	22
Report of Chief of Bureau of Statistics on internal commerce. [Pt. 2]	6	23
Commercial relations, annual reports from United States consuls on commerce, etc	437	44
Commissioner of Education, Annual Report of, for year 1890 (vol. 5)	1	15
Commissioners of the District of Columbia, Annual Report of the, for 1889 [Part 6]	1	16
Commissioner of Indian Affairs, Annual Report (vol. 2) [Part 5]	1	12
Commissioner of Internal Revenue, Report of, for 1889	4	18
Commissioner of Labor, Fifth Annual Report of the	336	34
Commissioner of Patents, Annual Report (vol. 3) [Part 5]	1	13
Comptroller of the Currency, Annual Report of	3	20
Consular officers, letter from Secretary of State in relation to the necessity for an immediate appropriation for salaries of	387	35
Contract labor laws:		
Letter from the collector of the port of New York in response to resolution of inquiry of the House, relative to the action of the Cunard Steamship Company refusing return passage to certain emigrants landed in violation of the	420	37
Number of suits under	206	31
Contracts for carrying the mails	113	29
Coosa River, Alabama, report of survey of	94	26
Corth, H., deceased, estate of	246	32
Court of Claims:		
List of judgments rendered by the	181	31
Additional list of judgments rendered by the	427	37
Request of Commissioners of District of Columbia for appropriation to pay judgment rendered by the, in favor of Daniel Donovan	432	37
Courts of the United States:		
Estimate of Secretary of the Interior for deficiency in the appropriations for distribution of the reports of the United States Supreme Court	179	31
Estimate of deficiency in appropriations for fees of witnesses in the, submitted by th Attorney-General	223	32
Letter from the Attorney-General relating to deficiencies in appropriations for Department of Justice	224	32
Additional estimates of Attorney-General of certain deficiencies to defray expenses of the	332	35
Statement of the Attorney-General of expenses of the, for years 1888, 1889, and 1890	338	35
Consolidated and revised statement of deficiencies to defray expenses of the, to take the place of previous estimates	368	35
Revised estimates for expenses of the, for year 1891	401	37
Estimates of deficiencies on account of expenses of	414	37
Estimates of appropriations to defray expenses of the, for 1890 and previous years	452	37
Estimate of expenses of	362	35
Estimates of deficiencies for expenses of the	467	37
Estimates of Attorney-General of appropriations for expenses of	121	28
Crane and Waters Rivers of Essex Branch, Massachusetts, report upon survey of	23	24

Subject.	No.	Vol.
Customs collection district, Laredo, Tex., letter from the Secretary of the Treasury recommending the establishment of the, in lieu of Corpus Christi	242	32
Customs duties, statement of refunds of, for fiscal year ended June 30, 1889	11	24
Customs officers, abstract of the official emoluments of	306	35
Customs revenue:		
Recommendation of Secretary of the Treasury that the annual appropriation for expenses of collecting the, be increased	263	32
Estimate of expenses of collecting the, for fiscal year ending June 30, 1891	280	34
Customs Service:		
Letter from Secretary of the Treasury transmitting report of all payments made to informers and seizing officers in the	9	24
Letter from the Secretary of the Treasury recommending that the compensation of the supervising special agent of the, be restored to $10 per day	226	32
Cypress Bayou, Louisiana, report upon improvement of	252	32
D.		
Dakota, purchase of stock cattle for Ponca Indians in	45	26
Dallas, Tex., veto of bill for addition to public building at	359	35
Damages to certain vessels, estimates from Secretary of the Navy to reimburse the owners of schooner *Rillie S. Derby* and barges *Benefactor* and *Mayflower*, for damages by collision with U. S. steamer *Juniata*	194	31
Dayton, Ohio, estimate of Secretary of the Treasury of appropriation to improve the sewerage system at the Central Branch of the Soldiers Home at	358	35
Department of Agriculture, statement of expenditures of the, for fiscal year ended June 30, 1889	104	26
Department of the Interior:		
Accounts of disbursing officers of the	417	37
Expenditure of contingent fund	117	28
Department of Justice:		
Claims for witness fees, middle district of Tennessee	192	31
Communication from Attorney-General recommending the payment of certain bills on file in the	455	37
Estimate from the Attorney-General of deficiency in the appropriation for printing and bi ding the	374	35
Department of Labor:		
Increased estimate from the Commissioner of labor for the rent of rooms for use of the	95	26
Department of State:		
Estimate of Secretary of State of an additional appropriation for binding manuscript papers belonging to the	275	34
Estimate of Secretary of State of deficiency for printing and binding for the	396	37
Contingent expenses of	322	35
Detroit River:		
Approximate cost of tunneling	369	35
Report upon survey of, at Grosse Point, Mich	200	31
Dickerman, A. T., claim of	371	35
Director of the Mint, report of the, upon the production of precious metals	354	35
District of Columbia:		
Report on system of sewerage existing in the	445	37
Annual report of the Commissioners of the [Part 6]	1	16
Additional estimates of deficiencies in appropriations for the service of the	428	37
Estimate of the Commissioners of the, of an appropriation to satisfy decree in the case of District of Columbia *vs.* McBlair	120	28
Letter from the Commissioners of the, transmitting for appropriation an additional list of judgments rendered against the	438	37
Number of persons arrested for murder, manslaughter, etc., in the	266	34

Subject.	Vol.	Vol.
District attorneys, letter from Secretary of the Treasury calling attention to the compensation allowed to the district-attorney for the southern district of New York	325	35
Donovan, Daniel, request of Commissioners of District of Columbia for appropriation to pay judgment rendered by the Court of Claims in favor of	432	37
Duluth, Minn., report upon survey of property donated by the city of..	217	32
E.		
Eastern Branch of the Potomac River, dredging channel of the	347	35
East Point Judith, Rhode Island, reports upon survey of	66	26
East River:		
Report of survey of	169	31
Map of survey of [Part 2].	169	31
Eleventh Census:		
Estimate of Secretary of Interior of $350,000 for printing, engraving, and binding for the	49	26
Estimate from the Secretary of the Interior of the appropriation for the expenses of the	160	31
Estimate of Secretary of Interior of appropriation for printing, engraving, and binding for the	373	35
Elk River, Maryland, report of survey of	157	31
Engineer museum, letter of Secretary of War requesting an appropriation for an	222	32
Equipment of vessels, estimate from the Secretary of the Navy of deficiency in the appropriation for	180	31
Examining surgeons, estimate from Secretary of the Interior of the "fees and expenses" of	464	37
Executive Departments, useless papers in the	197	31
F.		
Finances, annual report of the Secretary of the Treasury on the	2	19
Fines and deductions. Mail contracts	113	20
First Comptroller's Office, letter of First Comptroller asking for an appropriation to pay messenger in his office for extra services	395	37
Fishing Creek, North Carolina, report of survey of	32	24
Florida, letter from Secretary of the Treasury transmitting report of Third Auditor upon the mutual demands of the State of, and the United States	68	26
Fog signal, recommendation of Secretary of the Treasury for an appropriation for, at or near the Cuckold's Island, Maine	272	34
Fond du Lac River, Wisconsin, report upon survey of	24	24
Foreign mails, contracts for	458	37
Foreign relations, annual report on	1	1
Fortifications, estimate of Secretary of War of appropriation for armament of	147	31
Fort Douglas, Utah, submitting draft of bill relating to water supply at.	76	26
Fort Myer Military Post, estimate from Secretary of War of appropriation for	161	31
Fort Missoula, Mont., report relative to title to lands of	33	24
Fort Riley, Kans, estimate of Secretary of War for purchase of books for the libraries of the cavalry and artillery school at	230	32
Fort Sheridan rifle range, supplemental estimate of Secretary of War of appropriation for	115	28
Fort Wadsworth, N. Y., additional land for fortification at	98	26
Foulk, George C., letter from the Secretary of State submitting for appropriation the claim of	449	37
G.		
Galveston Harbor, Texas, report on improvements in	454	37
General Land Office, letter from Secretary of Interior recommending an increase in the salary of the chief clerk of the	142	31

Subject.	No.	Vol.
Geological Survey:		
Report of the director of the (vol. 4) ..... [Part 5]	1	14
Estimates of irrigation branch of the	326	35
Additional estimate of Secretary of the Interior of appropriation from the director of the, for necessary expenses of the irrigating branch of the	330	35
George, Mrs. Susanna, communication from the Light-House Board in relation to claim of	379	35
Green and Barren Rivers, Kentucky, report of bill relating to leases of water powers on the	389	35
Gulf of Mexico, report for deep harbor on	56	26
Guthrie, Okla., methods of locating homesteads and town sites at the land office at	209	31
H.		
Hampton, Va., extension of national cemetery at	87	26
Hydrographic Office, estimate from Secretary of the Navy for printing and binding for the fiscal year 1891	177	31
I.		
Illinois and Mississippi Canal, report upon survey of	316 429	35 37
Import duties, statement of refunds of for fiscal year ended June 30, 1889.	11	24
Letter relative to tariffs of Austria-Hungary, France and Germany beet-sugar taxes and export bounties	191	31
Indians:		
Estimate from Secretary of Interior for an appropriation for relief of destitute	241	32
Funds for subsistence and civilization of certain tribes of	52	26
Cherokee, Freedmen Delawares, and Shawnees, estimates of the Secretary of the Interior of an additional sum of $10,000 to carry into effect the act for enrollment of the	456	37
Chippewa, of Lake Superior, letter from Secretary of the Interior relative to an immediate appropriation for relief of the	99	26
Kickapoos, amended estimate of Secretary of the Interior of appropriation for "fulfilling treaties with the"	15	24
Sioux, estimate of Secretary of the Interior of appropriation for the education of the	333	35
Sioux at Devil's Lake Agency, N. Dak., recommendation of Secretary of Interior of an appropriation of $25,000 for immediate relief of the	131	28
Indian agents, relief of certain	298	35
Indian appropriation bill	405	37
Indian Department, tabular statements of disbursements made from appropriations for the, for 1889	8	24
Indian depredation claims, schedule of	122	28
Indian goods, exigency purchases of	18	24
Indian Office:		
Recommendation of the Commissioner of Indian Affairs of the re-establishment of the office of chief clerk of the	196	31
Letter urging increase of salary of Commissioner, assistant commissioner and financial clerk of the	265	34
Indian reservations, property transferred on the several	48	26
Indian schools:		
Carlisle, Pa., estimate from Secretary of Interior for buildings, etc., for the Indian school at	221 285	32 34
Supplemental estimate from Secretary of the Interior of amount required for support of, upon Indian reservations	334	35
Transportation, estimate of deficiency in appropriation for	219	32
Indian scouts, employment of	299	35
Indian service, amended estimates for the, for fiscal year ending June 30, 1891	205	31
Indian supplies, increased estimate of Secretary of the Interior for telegraphing and purchase of	269	34

Subject.	No.	Vol.
Initial monuments, estimate from Secretary of Interior for an appropriation for, for mineral surveys	290	34
Internal commerce, report Chief of Bureau of Statistics on commerce and navigation [Part 2]	6	23
Internal Revenue, report of the Commissioner of, for 1889	4	18
Internal Revenue officers, recommendation of the Commissioner of Internal Revenue for amendment of the Revised Statutes providing penalty for obstructing, in their duty	397	37
International American Congress, estimates from Secretary of State of appropriations to complete the work of the	407	37
International Congress of Engineers, report on inland navigation and seaports of France, with a list of canals and canalized rivers of the United States	378	35
Iron and Steel, tests of	14	25
J.		
Jews in Russia, concerning the enforcement of proscriptive edicts against	470	37
Jones, Russell & Co., claim of	220	32
Judgments due the United States, letter from the Solicitor of the Treasury in regard to unpaid	308	35
K.		
Kennebunk River, Maine, report of survey of	136	28
Key West, Fla., report on improvement of harbor of	39	24
Kittery navy-yard, increase of force in	462	37
L.		
Labor laws. (*See* Contract labor laws).		
La Fayette monument, communication of Secretary of War for appropriation for site for the	465	37
Lake Michigan to the Illinois River, report upon survey of water-way from	264	33
Lake Ontario and Irondequoit Bay, channel between	320	35
Land entries, abstract of, suspended	111	28
Land offices, estimate from the Secretary of the Interior for opening, at Pierre and Chamberlain, S. Dak	184	31
Land patents:		
Undelivered, in Arkansas and Mississippi	416	37
Compilation of, undelivered	425	37
Larchmont Harbor, New York, reports upon survey of	40	26
Larkin, G. T., letter from Attorney-General in reference to the expenses of, late deputy-marshal eastern district of Tennessee	402	37
League Island navy-yard	273	34
Lexington, Ky., donation of land at, for military purposes	44	26
Libraries, estimate from the Secretary of War for purchase of books for the, of the cavalry and artillery school at Fort Riley, Kans	230	32
Life-Saving Service, letter from the General Superintendent of the, in relation to an appropriation to reimburse the crew of the life-saving station at Muskeget, Mass	380	35
Lights:		
Recommendation of Secretary of the Treasury for a light station at or near the mouth of the new cut-off channel, Baltimore Harbor, Maryland	270	34
Letter from Secretary of the Treasury calling attention to the recommendation of the Light-House Board that range lights be established at entrance of Beaufort Harbor, North Carolina	327	35
Recommendation Secretary of the Treasury of appropriation for the purchase of additional land for the Cheboygan River range-light station	271	34
Letter from Secretary of the Treasury recommending an appropriation for proper lights at Doller's Point and on Hog Island Wharf, James River, Virginia	267	34

Subject.	No.	Vol.
Lights—Continued.		
Letter from the Light-House Board recommending an appropriation to establish range lights in Lake Winnebago, Wisconsin	254	32
Letter from Secretary of the Treasury transmitting bill H. R. 4665, "to establish five lights along the ship channel of Mobile Bay," and recommending modifications in same	202	31
Recommendation of Secretary of Treasury of an appropriation for proper lights marking the entrance of St. Jones River, Delaware Bay	257	32
Letter from Secretary of the Treasury recommending an appropriation for a light and fog signal at St. Mary's Island, Alaska	259	32
Recommendation of Light-House Board of additional appropriation for a light and fog signal at Seul Point, Michigan	278	34
Letter from the Secretary of the Treasury recommending an appropriation for, on the Thames River, between New London and Norwich, Conn	312	35
Letter from the Secretary of the Treasury recommending an appropriation for range of lights between Windmill Point, Lake St. Clair, and Belle Isle, Detroit River, Michigan	260	32
Recommendation of Secretary of the Treasury of an appropriation for proper lights in Yaquina Bay, Oregon	258	32
Light-house establishment, letter from the Secretary of the Treasury requesting that certain items in estimate for special works for the, be placed in urgent deficiency bill	176	31
Light-house tenders, estimate of Secretary of the Treasury for the construction of the several	173	31
Light and steam fog-whistle, New London, Conn., letter from the Secretary of the Treasury recommending the establishment of a	313	35
Light station, Sherwood Point, Wisconsin, estimate from the Light-House Board of an appropriation for land for an approach to the	36	24
Livingston Point, near Paducah, Ky., report upon survey of	172	31
Louisiana, affairs in the overflowed districts of	342	35
Lower Cumberland River, reports upon survey of, below Nashville, Tenn.	85	26
Lyon, Isaac S., letter from attorney-general submitting for appropriation the claim of	439	37
M.		
Machine guns for the Army, estimate from Secretary of War, of an appropriation for	377	35
McVay, James A. J. and Joseph H., claim of	150	31
Mail contracts, annual report on [Parts 1 and 2]	113	29, 30
Maine, report of Secretary of War relating to ordnance and ordnance stores to the State of	398	37
Manistee River, Michigan, report upon improvement of harbor at mouth of	88	26
Manokin River, Maryland, report upon survey of	149	31
Maricopa County, Ariz., veto of bill to issue certain bonds of supervisors of	422	37
Marine Hospital, Chicago, Ill., letter from the Secretary of the Treasury recommending an appropriation for the completion of the approaches to the	164	31
Martha's Vineyard, Mass., reports upon survey of	59	26
Menomonee Harbor, Wisconsin, report upon survey of	34	24
Merchant Marine Service, petition of officers of certain marine insurance companies in favor of bill (H. R. 592) to increase the safety of loaded vessels, etc	168	31
Milford Harbor, Connecticut, report of survey of	139	28
Military Academy:		
Estimate from the Secretary of War of appropriations for the	159	31
Estimate from the Secretary of War of appropriation for pay of the Superintendent of the, for fiscal year 1891	77	26
Petitions of Army officers to increase appointments at large to the United States	444	37

Subject.	No.	Vol.
Military Academy—Continued.		
Estimates from the Secretary of War of appropriations for the construction of a commissary storehouse at the, at West Point, and for purchase of land for target practice and drill at Fort McPherson, Ga	91	26
Military Academy band, petitions to reorganize the	446	37
Military courts, appropriation for expenses of the	297	35
Military establishment, statement of expenditures from contingent funds	54	26
Military posts, estimates from Secretary of War of appropriations for buildings at	17	24
Military reservations:		
Estimate from Secretary of the Interior to pay custodians of abandoned	248	32
Estimate of Secretary of Interior of deficiency for preservation of abandoned	189	31
Estimate of Secretary of Interior to pay salary of the custodian of the abandoned, at Fort Lyon, Colo	268	34
Minnesota Point, Wisconsin, reports upon survey of	51	26
Mint, report of the director of the, on the production of precious metals	354	35
Mint, Philadelphia, letter from the Director of the, recommending that an increase be made in the salary of the chief clerk of the	86	26
Mississippi River, floods upon the	281 291	34 34
Mississippi River Commission, expenses of	356	35
Missouri, report of Third Auditor of amount found due the State of	448	37
Missouri River, report of survey of the, between Cambridge and Glascow	251	32
Mitchell, Edward, communication from the Supervising Architect of the Treasury in relation to the account of	384	35
Montana, increased estimate of Secretary of Interior of appropriation for surveying the public lands in	409	37
Montanari, Joseph, communication from Secretary of State in relation to an appropriation for relief of	375	35
Montoya, E., and Sons, claim of	127 132	28 28
Monuments or tablets at Gettysburgh, estimate of Secretary of War of appropriations for	195	31
Mountain guns, carriages, etc., estimate from Secretary of War of appropriation for	155	31
Mount Vernon, Va., report of survey for a national road from the aqueduct bridge to	106	28
Muskegon and Ludington Harbors, Michigan, further improvement of	105	26
N.		
Narragansett Bay, reports upon survey of	57	26
Nautical Almanac Office, estimate of Secretary of the Navy for rent of rooms for use of the	261	32
Naval officers, request of Secretary of the Navy that certain, be relieved of checkage against accounts in office of Fourth Auditor	203	31
Naval service, estimate of Secretary of the Navy of deficiency in appropriation for transportation and recruiting in the	253	32
Navy, Annual Report of the Secretary [Part 3]	1	8 9
Navy Department:		
Estimate of Secretary of the Navy of deficiency in the appropriation for contingent expenses of the	343 67	35 26
Contingent expenses for 1889	140	28
Employés in		
Estimate of Secretary of the Navy of a deficiency in the appropriation for provisions and clothing for the	365	35
Navy-yards, estimate of Secretary of the Navy of appropriation for extending the launching ways at the, at New York and Norfolk	315	35
Navy-yard, Portsmouth, N. H., estimate from Secretary of the Navy for reconstruction of buildings and machinery destroyed by fire at the	276	34

Subject.	No.	Vol.
Nebraska, estimate from Secretary of the Interior for survey of a portion of the northern boundary of	201	31
Nehalem Bay and Bar, Oregon, reports upon survey of	70	26
New Haven Harbor, Connecticut, improvements of	145	31
New London, Conn., letter from Secretary of the Treasury recommending the establishment of a light and steam fog-whistle at	313	35
New York City, injurious deposits in harbor and adjacent waters of	341	35
New York Harbor, estimate of Secretary of War of appropriation for the prevention of obstructive deposits in	165	31
North East River, Maryland, report upon survey of	21	24
North East River, North Carolina, report upon survey of	35	24
Nye, Lieut. Haile C. T., letter from the Secretary of State recommending an appropriation for bringing home the remains of, late naval attaché at Lima, Peru	100	26
O.		
Occoquan Creek, Virginia, reports upon survey of	75	26
Ocmulgee River, Georgia, report upon survey of	215	32
Oconee River, Georgia, report upon survey of	211	31
Ogden, Utah, veto of increased indebtedness for city of	353	35
Oklahoma:		
Estimate of Secretary of Interior of appropriation to carry into effect act to provide for town-site entries in	390	35
Methods of locating homesteads and town-sites at the land office at Guthrie	209	31
Oklahoma Territory, compensation of marshals for services in	421	37
Onancock Harbor, Virginia, reports upon survey of	83	26
Ordnance, report relative to site for testing and proving heavy	148	31
Ordnance and ordnance stores, estimate from Secretary of the Navy of appropriation for	240	32
Relating to, for the State of Maine	398	37
Ordnance Proving Ground, Sandy Hook, New Jersey, report relative to test of rifled mortar presented by South Boston Iron Works at	158	31
Osage River, Missouri, report of survey of	119	28
Owen, George H., communication from Secretary of State in relation to bill to credit late United States consul at Messina with certain expenses for clerk hire, etc	366	35
Owen, Thomas E., depredation claim of	469	37
Owendaw and Wando Rivers, South Carolina, reports upon survey of	82	26
P.		
Pacific Railroads, response of Secretary of the Treasury to resolution of House of March 15, 1890, inquiring whether the Government is owner of any of the first-mortgage securities of the, etc	282	34
Paris consulate-general, communication from Secretary of State in relation to certain expenses incurred for storing archives of the	364	35
Paris Exposition of 1889, report of the United States commissioner-general to the [Parts 1, 2, 3, 4, 5]	410	38, 39, 40, 41, 42
Pensions:		
Estimate of Secretary of the Navy of deficiency in appropriations for Army and Navy pensions	419	37
Additional estimates from Secretary of Interior for prompt execution of the recent act granting pensions to soldiers and sailors incapacitated for manual labor, etc	431	37
Estimate of assistant treasurer of the United States at New York of additional force required to transact the increased business under the new pension legislation	435	37
Information concerning the pension system	361	35
Investigation as to rerating of	360	35
Pension Bureau. (*See* Bureau of Pensions.)		
Pension Office, appointment of thirty medical examiners for the	102	26

Subject.	No.	Vol.
Petoskey Harbor, Michigan, report of survey of	107	28
Plattsburgh, N. Y., donation of land at, for military parade and practice ground	37	24
Pleasant River, Maine, report of survey of	208	31
Ponca Indians, stock cattle for	45	26
Postal service:		
Contracts for foreign mails	458	37
Report on contracts and proposals for carrying the mails	113	29
Post libraries, estimate of Secretary of War of an appropriation for books for	152	31
Postmaster-General, communications from:		
Annual report [Part 4]	1	10
Foreign mails	458	37
Post-Office Department:		
Expenditures of the	31	24
Employment of post-office inspectors	372	35
Fraud upon the	463	37
Request of the Auditor of the Treasury for the, for additional clerical force in his Bureau	227	32
Request of the Postmaster-General for an appropriation to pay twenty clerks in	370	35
President, communications from:		
Annual message	1	1
Breadstuffs and provisions, message relating to importations of	392	37
Cherokee Indians, appropriation to continue negotiations with	400	37
Chippewa Indians, of Minnesota, relief of	247	32
Indian scouts, employment of	299	35
Jews in Russia, concerning the enforcement of proscriptive edicts against the	470	37
Rebecca, seizure of the schooner	328	35
Seal fisheries of Behring Sea, relating to the	450	37
Round Valley Reservation, reduction of	72	26
Veto messages—		
Bill H. R. 848, addition to public building at Dallas, Tex	359	35
Bill H. R. 3034, issue of certain bonds by Maricopa County, Ariz	422	37
Bill H. R. 7170, to increase indebtedness of Ogden, Utah	353	35
Printing and binding for Treasury Department, letter from the Secretary of the Treasury calling attention to the urgent necessity of an additional appropriation for	323	35
Private Land Claims, transcript of records and files of	415	37
Public Buildings:		
Letter from Secretary of the Treasury, calling attention to the necessity of an appropriation of $142,000 for furnishing certain specified	311	35
Letter from Secretary of the Treasury, transmitting an itemized statement of the expenditures for, for year 1889	351	35
Auburn, N. Y., request of Secretary of the Treasury for an additional appropriation for the	182	31
Baltimore, Md, request of Secretary of the Treasury for an appropriation of $20,000 to complete the	393	37
Bureau of Printing and Engraving, estimates of appropriations for additional buildings for use of the	235	32
Carlisle, Pa., estimate from Secretary of Interior for buildings, walks, and fences at Indian School at	221	32
Carlisle, Pa., estimate from Secretary of Interior for buildings for Indian school at	285	34
Charleston, S. C., and other places named, recommendation of Secretary of the Treasury for appropriations for repairs, alterations, and improvements of, at, etc	114	28
Charleston, S. C., request of Secretary of the Treasury for an additional appropriation for the, at	187	31
Charleston, S. C., recommendation of Secretary of the Treasury for an increase of the limit of cost of building and site at	243	32
Chicago, Ill., request of Secretary of the Treasury for an appropriation for repairs and improvements of the, at	167	31

Subject.	No.	Vol.
Public Buildings—Continued.		
Chicago, Ill., recommendation of Secretary of the Treasury for an appropriation for the completion of the approaches to Marine Hospital at	164	31
Coast and Geodetic Survey, recommendation of Secretary of the Treasury for purchase of additional buildings for the	153	31
Dayton, Ohio, estimate of Secretary of the Treasury of an appropriation to improve the sewerage system at the Central Branch of the Soldiers' Home at	358	35
Dayton, Ohio, request of Supervising Architect for an appropriation of $10,000 on account of the, at	459	37
Eastport, Maine, and other places named, recommendation of Secretary of the Treasury for an increase in the limit of cost of the	112	28
Fort Smith, Ark., request of Secretary of the Treasury for an additional appropriation to complete the	143	31
Fort Smith, Ark., communication from Attorney-General relating to deficiency in appropriation for repairs of	178	31
Frankfort, Ky., request of Secretary of the Treasury for an appropriation for payment for labor on and materials for	345	35
Keokuk, Iowa, request of the Secretary of the Treasury for an appropriation of $7,500 for additions to the	406	37
Key West, Fla., request of Supervising Architect for an appropriation of $10,000 on account of the	460	37
Leavenworth, Kans., recommendation of Secretary of the Treasury of an appropriation for the, at	185	31
Lubec Narrows, Maine, letter from the Light-House Board relative to an additional appropriation for a light-house at	97	26
Lubec Narrows, Maine, call of Secretary of the Treasury to the sity for an appropriation of $15,500 for the completion of light-house at	408	37
Marine Corps, estimate of Secretary of the Navy for the erection of a building for the commandant and staff of the	204	31
Military Academy, West Point, estimate of Secretary of War of appropriations for the construction of a commissary storehouse, etc., at the	91	26
Military posts, additional estimates of Secretary of War of appropriations for buildings at	17	24
Nautical Almanac Office, estimate of Secretary of the Navy for rent of rooms for use of the	261	32
New York City, call of the Secretary of the Treasury for an appropriation for alterations and repairs of the, at	218	32
Omaha, Neb., estimate of Secretary of War for a storehouse for use of quartermaster and commissary department at	229	32
Ottumwa, Iowa, recommendation of the Secretary of the Treasury for an additional appropriation for completion of the approaches to the, at	137	28
Philadelphia, Pa., request of Secretary of the Treasury for an appropriation for repairing custom-house at	186	31
Rockland, Maine, request of Secretary of the Treasury for an appropriation of $3,000 for improvement of the custom-house and grounds at	403	37
St. Louis, Mo., request of the Secretary of the Treasury for an appropriation for certain repairs on old custom-house at	346	35
San Francisco, Cal., recommendation of the Secretary of the Treasury for an appropriation of $450,000 for the, at, be included in deficiency appropriation bill	92	26
Supervising Architect's Office, communication from Secretary of the Treasury relative to the necessity of additional space for the engineering and drafting division of the	302	35
Troy, N. Y., communication from Secretary of the Treasury relative to a further increase of the limit of cost for the, at	134	28
Utah penitentiary, estimate of Attorney-General for an appropriation to preserve the cell building at the	385	35
Wichita, Kans., request of Secretary of the Treasury for an appropriation of $8,000 for the, at	412	37

Subject.	No.	Vol.
Public Buildings—Continued.		
Winona, Minn., call of Secretary of the Treasury to the necessity for an additional appropriation to complete the, at	309	35
Winona, Minn., request of Supervising Architect for an appropriation of $10,000 on account of the, at	461	37
Yellowstone National Park, estimate from Secretary of War for buildings for the shelter of troops detailed for the protection of	188	31
Public documents, receipts, distribution, and sale of	212	31
Public Lands:		
Estimate from Secretary of Interior of deficiencies in the appropriations for depredations on public timber and for protecting the	190	31
Letter from the Secretary of the Treasury transmitting increased estimate of Secretary of Interior for protecting the	352	35
Public Printing and Binding:		
Estimate of Public Printer of deficiency in the appropriation for the fiscal year ended June 30, 1890	30	24
Estimate from the Public Printer of deficiency in appropriation for	382	35
Q.		
Quarantine service, letter from Secretary of the Treasury recommending an increase in the appropriation for completion of the wharf for the United States quarantine station at Sapelo Sound, Deboys, Ga	183	31
Quartermaster's Department. (*See* Army.)		
R.		
Raymond Bros., claim of	125	28
Rebecca, message relating to seizure of the schooner	328	35
Receipts and expenditures of the United States	294	34
Redfern, Joseph and wife, letter from Secretary of the Treasury transmitting claim of	210	31
Revenue Cutter Service, statement of Secretary of the Treasury of expenditures for the, for fiscal year 1889	38	24
Richardson, Benjamin F., claim of	10	24
Rivers and harbors, report on inland navigation and seaports of France, with a list of canals and canalized rivers in the United States	378	35
Road, estimate of Secretary of War of an appropriation for repairing the roadway from Willets Point to Whitestone, N. Y	357	35
Road, Antietam Cemetery, estimate from Secretary of War of appropriation for completion of	388	35
Roadway, estimate from Secretary of War of an appropriation for the construction of a, from Atlanta to Fort McPherson, Ga	376	35
Roanoke River, reports upon survey of	62	26
Rock Island Arsenal:		
Estimate of appropriation to develop water power pool at	381	35
Report of present condition of	239	32
Rock Island Bridge and Watertown Arsenal, additional estimates by the Ordnance Department of the Army of appropriations for the	307	35
Round Valley Indian Reservation, reduction of, in California	72	26
S.		
St. Croix River, Maine, reports upon resurvey of	89	26
St. Mary's Falls Canal, Michigan, reports of commerce on, 1889	79	26
Salem Harbor and South River, Massachusetts, report upon survey of	28	24
San Mateo Spring Tract No. 134, report on the private land claim	96	26
Santa Fé, N. Mex., donation of land for military purposes	43	26
Sarasota Bay, Florida, report upon survey of	61	26
Savannah River, report upon survey of, above Augusta, Georgia	213	32
Saville, James H., communication from the Commissioners of the District of Columbia in relation to a judgment of the Court of Claims in favor of	447	37
Seal fisheries of Behring Sea, message of the President relating to	250	32

Subject.	No.	Vol.
Second Light-house District, estimate of Secretary of the Treasury of additional appropriation to complete the steamer for the	166	31
Secretary of Agriculture, communications from:		
Annual report for year 1889 [Part 7]	1	17
North Dakota Experiment Station, in reference to an appropriation for	423	37
Silk culture, report upon the operations of the Women's Silk Culture Association	110	28
Statement of expenditures of the Department of Agriculture for fiscal year ending June 30, 1889	104	26
Secretary of the Interior, communications from:		
Annual Report of (in five volumes):		
Reports of the Secretary of the Interior and the Commissioner of the General Land Office (vol. 1) [Part 5]	1	11
Report of the Commissioner of Indian Affairs (vol. 2) [Part 5]	1	12
Reports of the Commissioner of Patents, Commissioner of Pensions, etc. (vol. 3) [Part 5]	1	13
Report of the Director of the Geological Survey (vol. 4) [Part 5]	1	14
Report of the Commissioner of Education (vol. 5) [Part 5]	1	15
Alaska, compulsory school attendance in	321	35
Arizona, laws of fifteenth legislative assembly	109	28
Arkansas and Mississippi, undelivered land patents in	416	37
Bureau of Pensions, transfer to the War Department	296	35
Commissioner of Indian Affairs, letter urging increase of salary of Commissioner, assistant commissioner, and financial clerk of the Indian Office	265	34
Blinn, Richard F., claim of	130	28
Dickerman, A. T., claim of	371	35
Geological Survey, estimates of expenses of irrigation branch of the	326	35
Guthrie, Oklahoma, methods of locating homesteads and town-sites at the land office at	209	31
Indians, funds for subsistence and civilization of certain tribes of	52	26
Indian agents, relief of certain	298	35
Indian appropriation bill	405	37
Indian Department, tabular statements of disbursements made from appropriations for the, for 1889	8	24
Indian depredation claims, schedule of	122	28
Indian goods, exigency purchases of	18	24
Indian reservations, property transferred on the several	48	26
Interior Department:		
Accounts of disbursing officers of the	417	37
Expenditure of contingent fund	117	28
Jones, Russell & Co., claim of	220	32
Land patents, compilation of undelivered	425	37
McVay, James A. J and Joseph H., claims of	150	31
Montoya, E., and Sons, claim of	127	28
	132	28
Owen, Thomas E., depredation claim of	469	37
Pensions:		
Investigation as to rerating of	360	35
Information concerning the pension system	361	35
Pension Office, appointment of thirty medical examiners for the	102	26
Ponca Indians, stock cattle for	45	26
Private land claims, transcripts of records and files of	415	37
Public documents, receipts, distribution, and sale of	212	31
Raymond Bros., claim of	125	28
San Mateo Spring Tract No. 134, private land claim	96	26
Shepard, Henry, claim of	124	28
Sisseton and Wahpeton Indians, condition of	443	37
Slusher, William, depredation claim of	468	37
Smith, Nancy, pension to	457	37
Suspended land entries, abstract of	111	28
Taylor, John, claim of	123	28
Union Pacific Railway Company, land patents to the	453	37
Van Pelt, Thomas, claim of	151	31
Whitcomb, Aretas, claim of	129	28

Subject.	No.	Vol.
Secretary of the Navy, communications from:		
Annual report (vols. 1 and 2) [Part 3]	1	8, 9
Kittery navy-yard, increase of force in	462	37
League Island navy-yard	273	34
Navy Department:		
Contingent expenses for 1889	67	26
Employés in	140	28
Thompson Electric Welding Company, process of welding by electricity	279	34
Secretary of State, communications from:		
Annual report on foreign relations [Part 1]	1	1
Department of State, contingent expenses of	322	35
Import duties relating to tariffs of Austria, Hungary, France, and Germany, beet-sugar taxes and export bounties on same	191	31
Secretary of the Treasury, communications from:		
Alaska, estimate of appropriation for steam vessel for use of civil government of	93	26
Alaska, estimate for maintenance of the refuge station at Point Barrow	249	32
Alaska, recommending an appropriation for the establishment of a light and fog signal at St. Mary's Island	259	32
Alaska, estimate of appropriation for erection of marine barracks at Sitka	103	26
Alaska, estimate for education of children in, for year 1891	303	35
Accounts of the Government, receipts and expenditures of the United States	294	34
Allen, J. B., transmitting amended estimate from Attorney-General to compensate	391	35
American Cemetery, Acapulco, Mex., transmitting a communication from the Secretary of State requesting an appropriation for the improvement of the	317	35
Angel Island quarantine station, California, transmitting increased estimate of appropriation for the	154	31
Annual Report of the, on the finances	2	19
Ante-bellum mail service, etc., transmitting certain claims for, and certain claims of Pere Marquette Railroad Company and Pacific Mail Steamship Company for mail service	418	37
Appropriations, estimate of, for service of the fiscal year ending June 30, 1891	5	21
Appropriations, estimates of deficiency, for year 1890 and prior years	174	21
Appropriations concerning bill of H. R. 3823 to repeal laws relating to permanent and indefinite	274	34
Appropriations, transmitting letter from the Commissioner of Pensions asking an appropriation for thirty medical examiners	329	35
Appropriations, supplemental estimate of, required by the various Departments for fiscal year ending June 30, 1890, and prior years	394	21
Army, transmitting estimate from Secretary of War of deficiency in the appropriation for pay of the	236	32
Army, transmitting estimate from Secretary of War of a deficiency in the appropriation for "pay, etc., of the"	348	35
Army, transmitting estimate from Secretary of War of deficiency in the appropriation for pay, etc., of the	430	37
Army Gun Factory, transmitting increased estimate of Secretary of War for machinery and plant at the	214	32
Arnoux, W. H., transmitting request of Secretary of the Navy for compensating, for services as counsel	314	35
Arrears of pay and bounty for volunteers, transmitting estimates of appropriations for	116	28
Arsenals, transmitting letter from Secretary of War relating to estimates of appropriations for the, at Indianapolis, Ind., and at West Troy, N. Y	193	31
Artificial limbs, transmitting estimate of Secretary of War of deficiency in the appropriation for	228	32

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Atlantic and Pacific Railroad Company, transmitting an estimate from Secretary of Interior for survey of the land grant to the....	250	32
Barge office, New York, requesting an immediate appropriation of $20,000 to cover the cost of repairs on the.....	350	35
Bishop & Co., transmitting letter from Secretary of State in relation to an appropriation to pay claim of.....	231	32
Board of Pension Appeals, transmitting letter from Secretary of Interior relative to an increase in the number of members of the...	141	31
Bradford, Commander Royal B., transmitting estimate from the Secretary of the Interior of an appropriation to compensate.....	244	32
Buildings for garrison purposes, transmitting estimate from Secretary of War of appropriation for.....	162	31
Bureau of Engraving and Printing, transmitting request of the Chief of the, for an additional appropriation for the compensation of employés on account of overtime work.....	304	35
Bureau of Statistics, requesting provision in legislative appropriation bill for a special statistical clerk in the.....	163	31
Burial lots, Fort Porter, transmitting estimate from Secretary of War of an appropriation for the purchase of, in Forest Lawn Cemetery, New York.....	47	26
Cadet Hospital, West Point, N. Y., transmitting estimate of Secretary of War of appropriation to change the plumbing at the	349	35
Caswell, T. T., Pay Inspector U. S. Navy, transmitting request of Secretary of the Navy for authority of Congress to relieve, of checkage against his account	232	32
Chapin, E. E., claim of.....	441	37
Chargés d'affairs *ad interim*, transmitting letter from Secretary of State relative to an appropriation for salaries of.....	225	32
Cherokee Freedmen, Delawares, and Shawnees, transmitting estimates of Secretary of the Interior for an additional sum of $10,000 to carry into effect the act for enrollment of the.....	456	37
Chickamauga battlefield, transmitting estimate from Secretary of War for an appropriation of $3,000 for maps of	442	37
Chief clerk, General Land Office, transmitting letter from Secretary of Interior recommending an increase in the salary of the.....	142	31
Cigars, transmitting letter from Commissioner of Internal Revenue recommending certain amendments to existing laws taxing manufacturers of.....	363	35
Civil officers, transmitting draft of a bill "To limit and define the term of all of the United States, appointed for a fixed term".....	335	35
Civil Service Commission, transmitting supplemental estimate of, for salaries, etc., in the office of the.....	301	35
Claims, transmitting list of, arising under the act of July 4, 1864, allowed since January 17, 1889.....	126	28
Claims, transmitting list of, allowed by the accounting officers of the Treasury, under appropriations balances of which have been exhausted or carried to the surplus fund	144	31
Claims, transmitting list of, all allowed, enumerated in House Ex. Docs. Nos. 55 and 153, Forty-eighth Congress, second session, for which appropriations have not been made.....	314	35
Claims, transmitting communication from the Commissioner of Indian Affairs for an appropriation to pay claim of Seneca Indians..	340	35
Claims, transmitting of certain States, on account of "refunding to States expenses incurred in raising volunteers".....	413	37
Clerks for Second Auditor's office, transmitting the recommendation of Second Auditor for an appropriation for ten additional.....	433	37
Clerical force, transmitting applications from the Third and Fourth Auditors for increased.....	440	37
Coast and Geodetic Survey:		
Transmitting estimate of deficiencies in the appropriations for the service of the, for fiscal year 1890.....	46	26
Report for 1889	55	27
Transmitting statement of expenditures on account of the, for fiscal year ended June 30, 1890.....	90	26

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Coast and Geodetic Steamer Gedney, estimate of appropriation for repairs of the	171	31
Columbia River light-ship *Oregon*, transmitting estimate of an additional appropriation to complete the	237	32
Consular officers, transmitting letter from Secretary of State in relation to the necessity of an immediate appropriation for payment of salaries of	387	35
Court of Claims:		
List of judgments rendered by the, calling for an appropriation	181	31
List of judgments rendered by the	427	37
Request of Commissioners of District of Columbia for appropriation to pay judgment rendered by, in favor of Daniel Donovan	432	37
Courts of the United States:		
Estimates of Attorney-General of appropriations for expenses of	121	28
Estimate of Secretary of the Interior for deficiency in the appropriations for distribution of the reports of the Supreme Court	179	31
Estimate of deficiency in appropriation for fees of witnesses in the, submitted by the Attorney-General	223	32
Transmitting letter from the Attorney-General relating to deficiencies in appropriations for Department of Justice	224	32
Transmitting letter from the Attorney-General, additional estimates of deficiencies in certain appropriations for expenses of the	332	35
Transmitting letter from the Attorney-General, deficiencies in expenses of, for years 1888, 1889, and 1890	338	35
Consolidated and revised statement of deficiencies to defray expenses of, to take place of previous estimates	368	35
Estimates (revised) of Attorney-General for expenses of the, for year 1891	401	37
Estimates from the Attorney-General of deficiencies in appropriations on account of expenses of	414	37
Estimates from the Attorney-General of appropriations to defray expenses of the, for year 1890	452	37
Estimates of deficiencies for the expenses of the	467	37
Cunard Steamship Company, transmitting letter from the collector of the port of New York in response to resolution of inquiry of the House in relation to violation of the contract-labor laws by the	420	37
Customs collection district, Laredo, Tex., recommending the establishment of, in lieu of Corpus Christi	242	32
Customs duties, transmitting statement of refund of, for fiscal year ended June 30, 1889	11	24
Customs officers, transmitting abstract prepared by commissioner of customs of the official emoluments of	306	35
Customs revenue:		
Transmitting estimate of expenses of collecting the, for fiscal year ending June 30, 1891	280	34
Recommending the annual appropriation for expenses of collecting the, be increased	263	32
Customs service:		
Transmitting report of all payments made to informers and seizing officers in the	9	24
Recommending that the compensation of the supervising special agent of the, be restored to $10 per day	226	32
Damages to certain vessels, transmitting estimates from Secretary of the Navy to reimburse the owners of schooner *Rillie S. Derby* and barges *Benefactor* and *Mayflower* for damages by collision with U. S. steamer *Juniata*	194	31
Department of Justice:		
Estimate of the Attorney-General of deficiency in the appropriation for printing and binding for the	374	35
Transmitting the recommendation of Attorney-General of the payment of certain bills in the	455	37

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Department of Labor, transmits increased estimate of the Commissioner of Labor for rent of rooms for use of the	95	26
Department of State:		
Transmitting additional estimate from Secretary of State for binding manuscript belonging to the	275	34
Transmitting estimate of Secretary of State of deficiency for printing and binding for the	396	37
District attorneys, calling attention to the compensation allowed to the district attorney for the southern district of New York	325	35
District of Columbia:		
Transmitting additional estimates from the Commissioners of the, of deficiencies in appropriations for the service of the	428	37
Transmitting letter from the Commissioners of the, with additional list of judgments rendered against the, for appropriation	438	37
vs. McBlair, transmitting estimate of the Commissioners of the District of an appropriation to satisfy a decree	120	28
Eleventh Census:		
Transmitting estimate from Secretary of the Interior of $350,000 for printing, engraving, and binding for the	49	26
Transmitting estimate from the Secretary of the Interior of appropriation for expenses of the	160	31
Transmitting estimate from Secretary of the Interior of appropriation for printing, engraving, and binding for the		
Equipment of vessels, transmitting an estimate from the Secretary of the Navy of deficiency in the appropriation for	373	35
Examining surgeons, transmitting estimate from Secretary of the Interior of the, and expenses of	180	31
First Comptroller's Office, transmitting letter from First Comptroller asking for appropriation to pay messenger in his office for	464	37
extra services	395	37
Florida, transmitting report of Third Auditor upon the mutual demands of the State of, and the United States	68	26
Fog-signal, recommending an appropriation for, at or near Cuckold's Island, Maine	272	34
Fort Lyon, Colo., estimate to pay salary of custodian of, an abandoned military reservation	268	34
Fort Myer military post, transmitting estimate of Secretary of War of appropriation for	161	31
Fort Sheridan rifle range, transmitting estimate of Secretary of War of appropriation for	115	28
Fortifications, transmitting estimate from Secretary of War of appropriation for armament of	147	31
Foulk, George C., transmitting letter from Secretary of State submitting for appropriation the claim of	449	37
Geological Survey, transmitting letter from Secretary of the Interior submitting an additional estimate of appropriation from the Director of the, for necessary expenses of the irrigation branch of the	330	35
George, Mrs. Susannah, transmitting communication from the Light-House Board relative to claim of	379	35
Hydrographic Office, transmitting estimate of Secretary of the Navy for printing and binding for the, for fiscal year 1891	177	31
Indians, transmitting estimate from Secretary of Interior for an appropriation for relief of destitute	241	32
Indians, Chippewa, of Lake Superior, transmitting letter from Secretary of Interior relative to an immediate appropriation for relief of the	99	26
Indian Office, transmitting recommendation of the Commissioner of Indian Affairs for the reëstablishment of the office of chief clerk of the	196	31
Indian schools, supplemental estimate from Secretary of the Interior of amount required for, upon Indian reservations	334	35
Indian school transportation, transmitting estimate of deficiency in appropriation for	219	32

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Indian service, transmitting amended estimates for the, for fiscal year ending June 30, 1891	205	31
Indian supplies, transmitting increased estimate of Secretary of the Interior for telegraphing and purchase of	269	34
Internal-revenue officers, transmitting the recommendation of the Commissioner of Internal Revenue for amendment of Revised Statutes providing penalty for obstructing, in their duty	397	37
International American Congress, transmitting estimates from the Secretary of State of appropriations to complete the work of the	407	37
Monuments, transmitting estimate from the Secretary of the Interior for an appropriation for, for mineral surveys	290	34
Kapoos, transmitting amended estimate of Secretary of the Interior of appropriation for "fulfilling treaties with the"	15	24
Land offices, transmitting estimate from the Secretary of Interior for opening, at Pierre and Chamberlain, S. Dak	184	31
Larkin, G. T., transmitting letter from Attorney-General in reference to the expenses of late deputy marshal, eastern district of Tennessee	402	37
Libraries, transmitting estimate from Secretary of War for books for the, of the cavalry and artillery school at Fort Riley, Kans	230	32
Life-Saving Service, transmitting communication from the General Superintendent of the, in relation to an apropriation to reimburse the crew of the life-saving station at Muskeget, Mass	380	35
Lights, recommending an appropriation for a light-station at or near the mouth of the new cut-off channel, Baltimore, Harbor, Maryland	270	34
calling attention to the recommendation of the Light-House Board that range lights be established at entrance of Beaufort Harbor, North Carolina	327	35
recommending an appropriation for the purchase of additional land for the Cheboygan River range-light station	271	34
recommending an appropriation for proper lights at Doller s Point and on Hog Island Wharf, James River, Virginia	267	34
transmitting recommendation of the Light-House Board for an appropriation for range lights on Lake Winnebago, Wisconsin	254	32
transmitting bill (H. R. 4665) to establish five lights along the ship channel of Mobile Bay, and recommending modifications of same	202	31
recommending an appropriation for proper lights for marking the entrance of St. Jones River, Delaware Bay	257	32
transmitting request of Light-House Board for an additional appropriation for a light and fog signal at Seul Point, Michigan	278	34
recommending an appropriation for twelve, on the Thames River, between New London and Norwich, Connecticut	312	35
recommending an appropriation for a range of lights between Windmill Point, Lake St. Clair, and Belle Isle, Detroit River, Michigan	260	32
recommending an appropriation for proper lights in Yaquina Bay, Oregon	268	34
Light and steam fog-whistle, New London, Conn., recommending the establishment of a	313	35
Light-House Establishment, requesting that certain items in the estimate for special works for the, be placed in deficiency bill	176	31
Light-House tenders, submitting increased estimates of appropriation for the construction of the several	173	31
Light-station, Sherwood Point, Wisconsin, transmitting estimate from the Light-House Board of an appropriation for land for an approach to the	36	24
Lyon, Isaac S., transmitting letter from Attorney-General submitting for appropriation the claim of	439	37
Machine guns for Army, transmitting estimate of Secretary of War of an appropriation for	377	35

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Merchant-marine service, transmitting petition ot officers of certain marine insurance companies in favor of bill (H. R. 592), "safety of loaded vessels"	168	31
Military Academy, estimate from the Secretary of War of appropriations for the	159	31
Transmitting estimate of Secretary of War of appropriation for pay of the Superintendent of the, for fiscal year 1891	77	26
Military Reservations, transmitting estimate of Secretary of the Interior to pay custodians of abandoned	248	32
Transmitting deficiency estimate of Secretary of Interior for preservation of abandoned	189	31
Mint, Philadelphia, transmitting letter from the Director of the Mint, recommending that an increase be made in the salary of the chief clerk of the	86	26
Missouri, transmitting a report of Third Auditor, of the amount found due the State of	448	37
Mitchell, Edward, transmitting communication from the Supervising Architect of the Treasury in relation to the account of	384	35
Montana, transmitting increased estimate of Secretary of Interior of appropriation for surveying public lands, to be applied to expenses of surveys of public lands in	409	37
Montanari Joseph, transmitting communication from Secretary of State in relation to an appropriation for relief of	375	35
Monuments at Gettysburgh, estimate of Secretary of War for	195	31
Mountain guns, carriages, etc., transmitting estimate of Secretary of War of appropriation for	155	31
Naval officers, transmitting request of Secretary of the Navy that certain, and others be relieved of checkage against their accounts in office of Fourth Auditor	203	31
Naval service, transmitting estimate from Secretary of the Navy of deficiency in appropriation for transportation and recruiting for the	253	32
Navy Department, transmitting estimate of the Secretary of the Navy of a deficiency in the appropriation for "contingent expenses of the"	343	35
Transmitting estimates of the Secretary of the Navy of a deficiency in the appropriation for provisions and clothing for the	365	35
Navy yards, transmitting estimate of Secretary of the Navy of appropriation for extending the launching ways at the, at New York and Norfolk	315	35
Portsmouth, N. H., transmitting an estimate from the Secretary of the Navy for the reconstruction of buildings and machinery destroyed by fire at the	276	34
Nebraska, transmitting estimate from Secretary of the Interior, for survey of a portion of the northern boundary of	201	31
New York Harbor, transmitting estimate of Secretary of War of appropriation for the prevention of obstructive deposits in	165	31
Nye, Lieut. Haile C. T., transmitting recommendation of Secretary of State for an appropriation for bringing home the remains of late naval attaché at Lima, Peru	100	26
Oklahoma, transmitting estimate of Secretary of the Interior of appropriation to carry into effect "act to provide for town-site entries in"	390	35
Ordnance and ordnance stores, transmitting an estimate from Secretary of the Interior of appropriation for	240	32
Owen, George H., transmitting communication from Secretary of State, in relation to bill to credit, late consul of United States at Messina, with certain expenses for clerk-hire, etc	366	35
Pacific railroads, response to resolution of House of March 15, 1890, inquiring whether the Government is owner of any of the first-mortgage securities of the, etc	282	34

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Paris consulate-general, transmitting communication from Secretary of State, in relation to certain expenses incurred for storing archives of the	364	35
Pensions, transmitting estimates from Secretary of the Interior, of deficiency in appropriations for Army and Navy Pensions	419	37
Pensions, transmitting additional estimate of Secretary of the Interior for payment of pensions under recent act of Congress	431	37
Pensions, transmitting estimate from the Assistant Treasurer of the United States at New York of additional force required to transact the increased business under the new pension legislation	435	37
Post libraries, transmitting estimate from the Secretary of War of an appropriation for books for	152	31
Post-office Department:		
Transmitting communication from the Auditor of the Treasury for the, calling attention to the need of additional clerical force for his Bureau	227	32
Transmitting request from Postmaster-General for an appropriation to pay twenty clerks in	370	35
Precious metals, report of the Director of the Mint on the production of	354	35
Printing and binding for Treasury Department, calling attention to the urgent necessity of an additional appropriation for	323	35
Public buildings:		
Relating to an immediate appropriation for furnishing certain specified	311	35
Itemized statement of expenditures from appropriations for repairs and preservation of, for 1889	351	35
Auburn, N. Y., requesting an additional appropriation for	182	31
Baltimore, Md., recommending an appropriation to complete the, at	393	37
Bureau of Engraving and Printing, estimates of appropriation for additional buildings for the	235	32
Carlisle, Pa., estimate of Secretary of the Interior for buildings, etc., at Indian school at	221	32
Carlisle, Pa., estimate of Secretary of the Interior for buildings for Indian school at	285	34
Charleston, S. C., and other places, recommending appropriations for certain repairs of the, at	114	28
Charleston, S. C., requesting an additional appropriation for United States custom-house at	187	31
Charleston, S. C., recommending an increase of the limit of cost of site for the, at	243	32
Chicago, Ill., asking an appropriation for repairs, etc., of, at	167	31
Chicago, Ill., recommending an appropriation for completion of the approaches to the marine hospital at	164	31
Coast and Geodetic Survey, recommending the purchase of an additional building for use of the	153	31
Dayton, Ohio, estimate of appropriation to improve the sewerage system at the Central Branch of Soldiers' Home at	358	35
Dayton, Ohio, request of supervising architect for an appropriation of $10,000 on account of the, at	459	37
Eastport, Me., and other places, recommending an increase of the limit of cost of certain, therein named	112	28
Fort Smith, Ark., asking an additional appropriation for the, at	143	31
Fort Smith, Ark., communication from Attorney-General relating to deficiency appropriation for repairs of	178	31
Frankfort, Ky., requesting an appropriation for payment of labor and materials for	345	35
Keokuk, Iowa, requesting an appropriation for additions to the	406	37
Key West, Fla., letter from the supervising architect, requesting an appropriation of $10,000 on account of	460	37
Leavenworth, Kans., recommending an additional appropriation for the	185	31

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Public buildings—Continued.		
Lubec Narrows, Maine, letter from the Light-House Board relative to an additional appropriation for a light-house at	97	26
Lubec Narrows, Maine, calling attention to the necessity of an appropriation of $15,500 for the completion of the light-house at	408	37
Marine Corps, estimate of Secretary of the Navy for public building for use of the commandant and staff of the	204	31
Military Academy West Point, estimate of Secretary of War of appropriations for commissary storehouse at the	91	26
Military posts, additional estimates from Secretary of War of appropriations for buildings at	17	24
Nautical Almanac Office, estimate of Secretary of the Navy for rent of rooms for the	261	32
New York City, calling for an appropriation for alterations and repairs in the, at	218	32
Omaha, Nebr., estimate from the Secretary of War for storehouse for use of quartermaster and commissary department at	229	32
Ottumwa, Iowa, recommending an additional appropriation for completion of approaches to	137	28
Philadelphia, Pa., asking an appropriation for repairs of	186	31
Rockland, Me, requesting an appropriation of $3,000 for the improvement of the custom-house grounds at	403	37
St. Louis, Mo., requesting an appropriation for certain repairs on the, at	346	35
San Francisco, Cal., recommending that an appropriation for, be provided for in deficiency bill	92	26
Troy, N. Y., relative to a further increase in the limit of cost of the	134	28
Utah penitentiary, communication from Attorney-General submitting an estimate for the preservation of cell building at	385	35
Wichita, Kans., requesting an appropriation of $8,000 for heating apparatus, elevator, and completion of	412	37
Winona, Minn., calling attention to the necessity for an additional appropriation for completion of	309	35
Winona, Minn., letter from the supervising architect requesting an appropriation of $10,000 on account of the	461	37
Yellowstone National Park, estimate of the Secretary of War for buildings for the shelter of troops detailed for the protection of	188	31
Public Lands:		
Transmitting an estimate of Secretary of the Interior of deficiencies in the appropriations for depredations on public timber and for protecting the	190	31
Transmitting increased estimate of Secretary of Interior for protecting the	352	35
Public Printing and Binding:		
Transmitting estimate of deficiency in appropriation for, for fiscal year 1890	30	24
Transmitting estimate from the Public Printer of deficiency in appropriation for	383	35
Quarantine service, recommending an increase of appropriation for completion of the wharf for the United States quarantine station at Sapelo Sound, Deboys, Ga.	183	31
Redfern, Joseph, and wife, transmitting claim of, for lease of property	210	31
Revenue Cutter Service, statement of expenditures for the, for fiscal year 1889	38	24
Road, transmitting estimate of Secretary of War of an appropriation for repairing the roadway from Willets Point to Whitestone, N. Y	357	35
Road to Antietam Cemetery, transmitting estimate of Secretary of War for appropriation to complete	388	35
Roadway, transmitting estimate from Secretary of War for construction of, from Atlanta to Fort McPherson, Ga	376	35

Subject.	No.	Vol.
Secretary of the Treasury, communications from—Continued.		
Rock Island Bridge and Watertown Arsenal, transmitting estimates by the Ordnance Department of the Army of appropriations for the	307	35
Saville, James H., communication from the Commissioners of the District of Columbia in relation to a judgment of the Court of Claims in favor of	447	37
Second light-house district, transmitting estimate of additional appropriation to complete the steamer for the	166	31
Signal Office, transmitting amended estimates of Chief Signal Officer, for salaries Signal Office for year 1891	16	24
Signal Office, transmitting estimate from Secretary of War of appropriation for salary of an engineer at the	50	26
Sioux Indians, transmitting estimate of the Secretary of the Interior of appropriations for the education of the	333	35
Sioux Indians at Devil's Lake Agency, N. Dak., transmitting letter from Secretary of Interior recommending an appropriation of $25,000 for immediate relief of the	131	28
Sioux reservations, transmitting estimate of Secretary of the Interior for expenses of surveying the	284	34
Soldiers' Home, transmitting request of Second Comptroller for an increase in the salaries of clerks in his office engaged in adjusting the accounts of the	287	34
Southern Ute Commission, transmitting estimate from Secretary of Interior of a deficiency in the appropriation for the	283	34
Standard Measures, transmitting estimate from the Superintendent of the Coast and Geodetic Survey for the construction of standard gallons, etc	318	35
Statistical Abstract, transmitting the twelth number of the	13	24
Steam fog whistle, Warwick Point, R. I., conveying a recommendation for the establishment of a	310	35
Sundry civil act, submitting recommendations by the Second Comptroller and Second and Third Auditors that certain provisions of the, in respect to auditing the accounts of the Signal Service Corps, be repealed	466	37
Target ranges, Fort McPherson, Ga., transmitting estimate from Secretary of War of an appropriation for the purchase of land for	53	26
Trade-dollar bullion, transmitting a report of the Director of the Mint in response to resolution of House inquiring why the "trade-dollar bullion" has not been received	451	37
Treasurer's report on account of, for 1889	436	43
Treasury Department, transmitting report of the contingent expenses of the, for fiscal year ended June 30, 1889	12	24
Unpaid judgments, transmitting letter from the Solicitor of the Treasury relative to, due the United States	308	35
Villanova, Hermanos & Co., transmitting request of Secretary of State for an appropriation to enable him to pay	383	35
War Department, transmitting additional estimates of appropriations for increased clerical force required by the record and pension division of the	426	37
Washington Aqueduct, transmitting estimate from the Commissioners of the District of Columbia of additional appropriations for the	108	28
Wyatt, Daniel F., transmitting estimate from Attorney-General of appropriation to pay claim of, deputy United States marshal, for services in opening Oklahoma	367	35
Wyoming, transmitting estimate from Secretary of the Territory of, for payment of expenses of twelfth Territorial assembly	234	32
Yellowstone Park, transmitting estimate from the Superintendent of the, of amount necessary to carry into effect the requirements of the bill before Congress affecting the	331	35
Zuni Indian Agency, N. Mex., transmitting estimates from the Secretary of the Interior of appropriations for support of Indians and pay of agent at the	287	34

Subject.	No.	Vol.
Secretary of War, communications from:		
Annual report, 4 vols. (vol. 1) [Part 2]	1	2
Report of Chief of Engineers (vol. 2, part 1) [Part 2]	1	3
(vol. 2, part 2) [Part 2]	1	4
(vol. 2, part 3) [Part 2]	1	5
(vol. 2, part 4) [Part 2]	1	6
Report from Chief of Ordnance (vol. 3) [Part 2]	1	7
Report of Signal officer (vol. 4, parts 1 and 2) [Part 2]	1	7
Army,		
petitions of noncommissioned officers for reduction in the limit for retirement	319	35
submitting petitions for increase pay of noncommissioned officers of the staff	170	31
	245	32
	277	34
	295	35
	324	35
purchasing instruments for heavy artillery practicec	73	26
relative to objections to lineal promotions in the	386	35
	424	37
relative to regular supplies, Quartermaster's Department	292	34
reports of purchases of supplies for use of the, for 1889	256	32
support of the	262	32
transmitting letters relating to mileage of officers of the	399	37
Boeing, William, for the relief of	133	28
Byrne, Edward, relative to reinsatement of, as captain of cavalry, Army	233	32
Chicamauga, estimate for printing and binding maps of the battle-field of	175	31
Civilian engineers, statement of, for 1889	118	28
Corths, H., deceased, estate of	246	32
Duluth, Minn., report of survey of property donated by the city of	217	32
Engineer, Museum, appropriation for an	222	32
Executive Departments, useless papers in the	197	31
Fort Douglas, Utah, submitting draft of bill relating to water supply at	76	26
Fort Missoula, Mont., title to lands of	33	24
Fort Wadsworth, N. Y, additional land for fortification at	98	26
Hampton, Va., extension of national cemetery at	87	26
Iron and steel, test of	14	25
La Fayette monument, appropriation for site for the	465	37
Lexington, Ky., donation of land at, for military purposes	44	26
Military Academy, petitions for increase of appointments at large to	444	37
	446	37
Military Academy band, petitions to reorganize the	297	35
Military courts, appropriation for expenses of	54	26
Military Establishment, statement of expenditures from contingent funds	356	35
Mississippi River Commission, expenses of	106	28
Mount Vernon, Va., report of survey for a national road from the Aqueduct Bridge to	148	31
Ordnance, report relative to a site for testing and proving heavy	398	37
Ordnance and ordnance stores, relating to, for State of Maine	158	31
Ordnance proving ground, Sandy Hook, N. J., report relative to test of rifled mortar presented by South Boston Iron Works	300	35
Pension Bureau, transfer of	37	24
Plattsburgh, N. Y., donation of land at, for military purposes	10	24
Richardson, Benjamin F., claim of		
Rivers and Harbors:		
Alloway Creek, New Jersey, reports upon survey of	60	26
Appoquinimink Creek, Delaware, report of survey of	19	24
Aquia Creek, Virginia, report of survey of	135	28
Beaufort River, North Carolina, report of survey of	42	26
Belfast Harbor, Maine, report upon survey of	81	26
Beverly Harbor, Massachusetts, report of survey of	27	24
Big Black River, Mississippi, improvement of	216	32
Brown's Creek, New York, report of survey of	22	24
Cape Charles City, Va., report of survey of harbor of	29	24

Subject.	No.	Vol.
Secretary of War, communications from—Continued.		
Rivers and Harbors—Continued.		
Cedar Bayou, Texas, reports upon survey of bar at mouth of...	84	26
Chesapeake Bay, right of way of vessels in and from, to Baltimore	339	35
Chester River, Maryland, reports upon survey of	65	26
Chickahominy River, Virginia, reports upon survey of	41	26
Chincoteague Inlet, Virginia, report on improvement of	207	31
Coaster's Harbor Island, reports upon survey of	63	26
Cocheco River, reports of survey of, from Dover, N. H., to its mouth	74	26
Columbia River, report upon certain obstructions to navigation in the	64	26
Columbia River, improvement of	101	26
Coosa River, Alabama, report of survey of	94	26
Cranes and Waters Rivers of Essex Branch, Massachusetts, report of survey of	23	24
Cypress Bayou, Louisiana, report upon improvement of	252	32
Detroit River, approximate cost of tunneling	369	35
Detroit River, report on survey of, at Grosse Point, Mich	200	31
East Point Judith, Rhode Island, reports upon survey of	66	26
East River, report of survey of	169	31
map of survey of [Part 2]	169	31
Eastern Branch of the Potomac River, dredging channel of the	347	35
Elk River, Maryland, report of survey of	157	31
Fishing Creek, North Carolina, report on survey of	32	24
Fond du Lac River, Wisconsin, report of survey of	24	24
Galveston Harbor, Texas, reports of improvements in the	454	37
Green and Barren Rivers, Kentucky, report of bill relating to lease of water-powers on the	389	35
Gulf of Mexico, reports on deep harbor on	56	26
Illinois and Mississippi Canal, report of survey of	316 429	35 37
International Congress of Engineers, report on the inland navigation and seaports of France, with a list of canals and canalized rivers in the United States	378	35
Kennebunk River, Maine, report of survey of	136	28
Key West, Fla., report upon improvements of entrance to the harbor of	39	24
Lake Michigan to the Illinois River, report upon survey of a water-way from [Parts 1 and 2]	264	33
Lake Ontario and Irondequoit Bay, relating to the project for a channel between	320	35
Larchmont Harbor, New York, reports upon survey of	40	26
Livingston Point, near Paducah, Ky., report of survey of	172	31
Louisiana, affairs in the overflowed districts of	342	35
Lower Cumberland River, Tennessee, report of survey of	85	26
Manistee River, Michigan, report on improvement of harbor at mouth of	88	26
Manokin River, Maryland, report of survey of	149	31
Martha's Vineyard, Mass., reports upon survey of	59	26
Menomonee Harbor, Wisconsin, report of survey of	34	24
Milford Harbor, Connecticut, report of survey of	139	28
Minnesota Point, Wisconsin, reports upon survey of	51	26
Mississippi River, floods upon the	281 291	34 34
Missouri River, report of survey of the, between Cambridge and Glasgow	251	32
Muskegon and Ludington Harbors, Michigan, further improvement of	105	26
Narragansett Bay, reports upon survey of	57	26
Nehalem Bay and Bar, Oregon, reports upon survey of	70	26
New Haven harbor, Conn., improvements of	145	31
New York City, injurious deposits in harbor and adjacent waters of	341	35
North East River, Maryland, report of survey of	21	24
North East River North Carolina, report on survey of	35	24

Subject.	No.	Vol.
Secretary of War, communications from—Continued.		
Rivers and Harbors—Continued.		
Occoquan Creek, Virginia, reports upon survey of	75	26
Ocmulgee River, Georgia, report upon survey of	215	32
Oconee River, Georgia, report upon survey of	211	31
Onancock Harbor, Virginia, report upon survey of	83	26
Osage River, Missouri, report of survey of	119	28
Owendaw and Wando Rivers, South Carolina, reports upon survey of	82	26
Petoskey Harbor, Michigan, report of survey of	107	28
Pleasant River, Maine, report of survey of	208	31
Roanoke River, Virginia, reports upon survey of	62	26
St. Croix River, Maine, report of resurvey of	89	26
St. Mary's Falls Canal, Michigan, report upon commerce of the, for 1889	79	26
Salem Harbor and South River, Massachusetts, report of survey of	28	24
Sarasota Bay, Florida, reports upon survey of	61	26
Savannah River, report upon survey of, above Augusta, Ga	213	32
Shallotte River, North Carolina, reports upon survey of	78	26
Sipsey River, report of survey of	198	31
Siuslaw River and Bay, Oregon, reports upon survey of	71	26
Umpqua River, Oregon, report of survey of	199	31
Union River and Union River Bay, Maine, report of survey of	138	28
Upper Columbia River, Washington, report upon survey of	238	32
Wappinger's Creek, New York, report of survey of	25	24
Warrior and Tombigbee Rivers, Alabama and Mississippi, report of survey of	156	31
Weymouth River, Massachusetts, report of survey of	26	24
Wicomico River, Maryland, report of survey of	20	24
Young's River and Klaskuine River, Oregon, reports upon survey of	69	26
Rock Island Arsenal:		
Estimate of appropriation to develop water-power pool at	381	35
Report on present condition of	239	32
Santa Fé, N. Mex., donation of land for military purposes at	43	26
Soldiers, burial of indigent ex-Union	58	26
Soldiers' Home, deposit of funds pertaining to the	355	35
Tents, transmitting draft of a bill to purchase	293	34
War Department:		
Contingent expenses of	128	28
List of employés in	80	26
Money accounts of disbursing officers	255	32
Washington aqueduct tunnel, relative to liabilities of certain contractors engaged in the construction of	286 305	34 35
Shallotte River, North Carolina, reports upon survey of	78	26
Shepard Henry, claim of	124	28
Signal Office:		
Amended estimates from Chief Signal Officer for salaries Signal Office for fiscal year ending June 30, 1891	16	24
Estimate of Secretary of War of appropriation for salary of an engineer at the	50	26
Signal Officer, annual report of (vol. 4, parts 1 and 2)	[Part 2] 1	7
Signal Service Corps, recommendations of the Second Comptroller and Second and Third Auditors, that certain provisions of the sundry civil act in respect to auditing the accounts of the, be repealed	466	37
Silk culture, report upon the operations of the Woman's Silk Culture Association	110	28
Sioux City, Iowa, office for district clerk at	411	37
Sioux reservations, estimate from the Secretary of Interior for expenses of surveying the	284	34
Sipsey River, report upon survey of	198	31
Siuslaw River and Bar, Oregon, reports upon survey of	71	26
Sisseton and Wahpeton Indians, condition of	443	37
Sitka, Alaska, appropriation to repair Government building at	146 288	31 34

Subject.	No.	Vol.
Slusher, William, depredation claim of	468	37
Smith, Nancy, pension to	457	37
Soldiers, report of Secretary of War relative to burial of indigent ex-Union	58	26
Soldiers' Home:		
Letter from Second Comptroller recommending an increase in the salaries of clerks in his office engaged in adjusting the accounts of the	289	34
Deposit of funds pertaining to the	355	34
Southern Ute Commission, estimate from the Secretary of the Interior to supply a deficiency in the appropriation for the	283	34
Standard measures, estimate from the Superintendent of the Coast and Geodetic Survey for the construction of standard gallons, etc	318	35
Statistical Abstract, letter from the Secretary of the Treasury transmitting the twelfth number of the	13	24
Steam fog whistle, Warwick Point, Rhode Island, recommendation of Secretary of the Treasury for the establishment of a	310	35
Sundry civil act, recommendations of the Second Comptroller and Second and Third Auditors that certain provisions of the, be repealed	466	37
Supervising Architect of Treasury, letter from Secretary of the Treasury relative to the necessity of additional space for the engineering and drafting division of the office of the	302	35
T.		
Target ranges, McPherson, Ga., estimate of Secretary of War of an appropriation for the purchase of land for	53	26
Tariff. (*See* Import duties.)		
Taylor, John, claim of	123	28
Tennessee, claims for witness fees, middle district of	192	31
Tents, submitting draft of a bill to purchase	293	34
Texas, employment of counsel, etc., in the prosecution of suit relating to Greer County	404	37
Thompson Electric Welding Company, process of welding by electricity	279	34
Trade dollar bullion, report of the Director of the Mint in response to resolution of House inquiring why the trade dollar bullion has not been recoined	451	37
Treasurer of the U. S., report on accounts of, for 1889	436	43
Treasury Department:		
Report of the contingent expenses of the, for fiscal year ended June 30, 1889	12	24
Letter from Secretary of the Treasury, asking for appropriation for a special statistical clerk in Bureau of Statistics of the	163	31
Tuthill, Richard H., claim of	434	37
U.		
Umpqua River, Oregon, report upon survey of	199	31
Union Pacific Railway Company, land patents to the	453	37
Union River and Union River Bay, Maine, report of survey of	138	28
United States, judgments in cases against	337	35
United States Civil Service Commission, sixth report of the...[Part 8]	1	18
Upper Columbia River, Washington, report upon survey of	238	32
V.		
Van Pelt, Thomas, claim of	151	31
Villanova, Hermanos & Co., request of Secretary of State for an appropriation to enable him to pay	383	35
W.		
Wappinger's Creek, New York, report upon survey of	25	24

Subject.	No.	Vol.
War Department:		
Additional estimates from Secretary of War of appropriations for increased clerical force required by the Record and Pension Division of the	426	37
Contingent expenses of	128	28
List of employés in	80	26
Money accounts of disbursing officers	255	32
Warrior and Tombigbee Rivers, Alabama and Mississippi, report upon survey of	156	31
Washington Aqueduct:		
Estimate from the Commissioners of District of Columbia of additional appropriation for the	108	28
Relative to liabilities of certain contractors engaged in the construction of tunnel	286 305	34 35
Wedderburn, Alexander J., relating to certain alleged frauds upon the Post Office Department	463	37
Weymouth River, Massachusetts, report upon survey of	26	24
Whitcomb, Aretas, claim of	129	28
Wicomico River, Maryland, report upon survey of	20	24
Wyatt, Daniel F., estimate of Attorney-General of appropriation to pay claim of, deputy United States marshal, for services in opening Oklahoma	367	35
Wyoming, estimate from the Secretary of the Territory of, for payment of expenses of twelfth Territorial assembly	234	32
Y.		
Yellowstone National Park:		
Estimate of Secretary of War for buildings for shelter of troops detailed for the protection of	188	31
Estimate from the acting superintendent of the, of amount necessary to carry into effect the bill before Congress affecting the	331	35
Young's River and Klaskuine River, Oregon, reports upon survey of	69	26
Z.		
Zuni Indian Agency, estimates from the Secretary of the Interior of appropriations for support of Indians and pay of agent at the, N. Mex	287	34

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 392.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATING TO

The importation of breadstuffs and provisions. A report from the Secretary of State on the subject.

MAY 9, 1890.—Referred to the Committee on Ways and Means.

To the House of Representatives:

In answer to the resolution of the House of Representatives of March 31, 1890, respecting the importation into foreign countries of breadstuffs and provisions from the United States, and the rates of duty imposed upon such articles, I transmit, herewith, a report from the Secretary of State on the subject, together with the accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, May 8, 1890.

THE PRESIDENT:

The Secretary of State, who was requested by the resolution of the House of Representatives of the 31st of March last—

to furnish to the House of Representatives a statement showing what, if any, changes have been made by foreign countries since 1879, in the rates of duty imposed upon breadstuffs and provisions imported from the United States, and what laws, if any, have been enacted or regulations have been made in such countries since said date, prohibiting, obstructing, or in any manner interfering with the importation or sale of such articles—

has the honor to submit to the President the papers enumerated in the subjoined list showing such changes made by foreign countries since 1879, so far as statistics on file in this Department justify, to be by him transmitted to the House of Representatives, if, in his opinion, this course be not incompatible with the public interest.

The countries included in the tabular statement, herewith, are: Austria-Hungary, Belgium, France, Germany, Italy, Portugal, Spain, Switzerland, Sweden, the Argentine Republic, Brazil, the Dominion of Canada, and Mexico. From the foot-notes to these statements it appears that—

The importation of American pork and lard into Austria-Hungary has been prohibited since March, 10, 1881, and the sale of American canned meats was prohibited in Hungary in 1884.

The importation of American pork into France has been prohibited since February 18, 1881, and all lard imported from the United States is now subjected to inspection.

The importation of American pork into Germany has been prohibited since June 25, 1880, and American potatoes have been prohibited since 1875.

The importation of American pork into Italy has been prohibited since February 20, 1879.

The importation of American potatoes into Spain is prohibited, and American pork and lard subjected to government inspection.

The importation of American cattle and swine, save in bond, into Ontario, was prohibited April 23, 1880.

The importation of American pork into the Ottoman Dominions has been prohibited since 1881.

The publications herewith transmitted cover previous correspondence on the prohibition of the importation of American pork.

Respectfully submitted.

JAMES G. BLAINE.

DEPARTMENT OF STATE,
Washington, May 8, 1890.

List of accompanying papers.

No. 1.—Tariff changes, in the several countries, on breadstuffs and provisions, since 1879, in tabular form, viz: Austria-Hungary, Belgium, France, Germany, Italy, Spain, Switzerland, Portugal, Sweden, Argentine Republic, Brazil, Dominion of Canada, and Mexico.

No. 2.—Prohibition of American pork in Asia Minor; report by Consul Duncan, of Smyrna, April 20, 1881.

Publications.

No. 3.—American pork. Result of an investigation made under authority of the Department of State, 1881.

No. 4.—Message of the President, Forty-seventh Congress, first session, 1882. Ex. Doc. No. 209.

No. 5.—Message of the President, Forty-eighth Congress, first session, 1884. Ex. Doc. No. 70.

No. 6.—Message of the President, Forty-eighth Congress, first session, 1884. Ex. Doc. No. 106.

No. 7.—Report of Senate committee, Forty-eighth Congress, first session, 1884.

No. 8.—Message of the President, Fiftieth Congress, first session, 1888. Ex. Doc. 114.

No. 1.

TARIFF CHANGES, IN THE SEVERAL COUNTRIES, ON BREADSTUFFS AND PROVISIONS, SINCE 1879.

AUSTRIA-HUNGARY.

Description.	Per—	1879.	1882.	1886.
Cereals:				
Barley	100 kilograms	Free.	$0.13	$0.36
Bread	do	Free.	.72	1.80
Indian corn	do	Free.	.13	.25
Oats	do	Free.	.13	.37
Rye	do	Free.	.13	.72
Wheat	do	Free.	.24	.72
Flour	do	Free.	.72	.72
Rice	do	$ 0.96	.96	1.80
Provisions:				
Meats of all kinds	do	1.44	2.88	2.88
Cheese	do	4.32	4.80	9.60
Butter, and imitation of	do	3.84	4.80	4.80
Lard	do	3.84	7.68	7.68
Canned meats and vegetables	do	16.80	19.20	19.20

The importation of American pork and lard into Austria-Hungary has been prohibited since March 10, 1881. American canned meats were forbidden to be sold in Hungary in 1884. This has all the effect of prohibition.

BELGIUM.

Description.	Per—	1879.	1888.
Living animals:			
Bulls	100 kilograms	Free.	$0.77
Oxen	do	Free.	.97
Bows	do	Free.	.58
Sheep	Head	Free.	.48
Lambs	do	Free.	.19.3
Breadstuffs, provisions:			
Butter, cheese, etc.			
Fresh meats, whole or half carcasses *	100 kilograms	Free.	2.90
Fresh meats, all other	do	Free.	5.80

* Since January 1, 1888, fresh butchered meats are admitted into Belgium only in whole carcasses, half carcasses, and five-quarters, on condition that the lungs are still adhering thereto.

FRANCE.

Description.	Per—	1879.		1881.	1886.	1888.
		General.	Conventional.			
Breadstuffs:						
Barley	100 kilograms	Free.	Free.	Free.	$0.29	.....
Bread and biscuit	do	$0.23	.....	$0.23	1.06	$1.54
Corn, Indian	do	Free.	Free.	Free.	Free.	.29
Corn-meal	do	Free.	Free.	Free.	Free.	1.54
Cats	do	Free.	Free.	Free.	$0.29	.29
Oatmeal	do	Free.	Free.	Free.	Free.	1.54
Rye	do	Free.	Free.	Free.	.29	.....
Rye flour	do	Free.	Free.	Free.	.....	1.54
Wheat	do	$0.12	.....	$0.12	.58	.965
Wheat flour	do	.....	.....	.23	1.06	1.54
Provisions:						
Fresh meats	do	.12	.....	.58	1.35	1.35
Salted meats	do	.90	$0.90	1.57	1.64	1.64
Canned meats	do	.12	.....	1.54	1.54	1.54
Meat extract	do	.....	.....	.77	.77	.77
Lard*	do	Free.	Free.	Free.	Free.	Free.
Oleomargarine	do	Free.	Free.	Free.	Free.	$2.51
Butter:						
fresh	do	Free.	Free.	$2.51	$2.51	2.51
salted	do	$1.50	$4.50	2.90	2.90	2.90
Cheese:						
soft	do		.58	1.16	1.16	1.16
hard	do		.77	1.54	1.54	1.54
Living animals:						
Oxen	Head	.72	.69	3.00	4.82	7.33
Cows	do	.24	.24	1.57	2.32	3.86
Bulls	do	.72	.72	1.57	2.32	3.86
Steers and heifers	do	.24	.24	.965	1.54	1.54
Calves	do	.06	.06	.29	.77	.96
Sheep	do	.06	.06	.39	.58	.58
Lambs	do	.024	.024	.097	.19	.19
Hogs	do	.06	.06	.58	1.16	1.16

*Since May 1, 1889, lard mixed with cotton-seed oil, imported into France, has been subject to a duty of $1.16 per 100 kilograms (200.5 pounds), and all lard imported from the United States has been subjected to inspection. (Government decree of January 12, 1889.)

The importation of American pork into France has been prohibited since February 18, 1881.

GERMANY.

Description.	Per—	1879.	1885.	1887.
Breadstuffs:				
Wheat	100 kilograms	$0.23	$0.71	$1.19
Rye	do	.23	.71	1.19
Buckwheat	do	.11	.23	.75
Barley	do	.11	.35	.53
Indian corn	do	.11	.23	.48
Rice	do	.95	.95	.....
Rice for starch manufacture	do	.28	.72	.....
Biscuit	do	.....	.....	.....
Flour and meal	do	.47	1.78	2.50
Provisions:				
Fresh meats	do	2.85	4.76	4.76
Salted meats	do	2.85	.....	.....
Oleomargarine	do	.....	4.76	4.76
Lard	do	2.38	2.38	2.38
Butter	do	.....	4.76	4.76
Cheese	do	4.76	4.76	4.76
Canned meats	do	2.85	4.76	.....
Living animals:				
Oxen	do	4.76	7.14	7.14
Sheep	do	.07	.24	.24
Hogs	do	.59	1.42	1.42

The importation of American pork into Germany has been prohibited since June 25, 1880. American potatoes have been prohibited in Germany since 1875.

ITALY.

Description.	Per—	1880.		1886.	1888.
		General.	Conventional.		
Breadstuffs:					
Wheat	100 kilograms	$1.27	.....	$0.27	$0.96
Oats	....do	.21	.....	.21	.77
Other grain	....do	.21	.....	.21	.21
Rice	....do	Free.	.....	.....	.....
Flour	....do	.53	.....	.53	1.68
Bread and biscuit	....do	1.06	.....	1.06	2.21
Provisions:					
Fresh meat	....do	.96	.....	.96	2.31
Salted and smoked meats	....do	4.83	3.96	3.86	4.83
Lard	....do	.....	.....	.19	1.93
Butter:					
Fresh	....do	.96.5	.96.5	.96.5	2.31
Salted	....do	2.89	.....	2.89	3.38
Cheese	....do	2.89	1.54	1.93	2.31
Living animals:					
Oxen	Head	3.47	2.89	2.89	7.33
Sheep	....do	.04	.04	.04	.57
Swine	....do	.48	.48	.48	.72

The importation of American pork into Italy has been prohibited since February 20, 1879.

SPAIN.

Description.	Per—	1881.		1887.
		General.	Conventional.	
Cattle	Head	$2.63	$2.63	$2.63
Hogs	....do	1.63	1.63	1.63
Sheep	....do	.27	.27	.22
Breadstuffs:				
Barley	100 kilograms	.62	.62	.62
Indian corn	....do	.62	.62	.62
Wheat	....do	.83	.83	1.12
Rice	....do	1.54	1.31	1.54
Other grain	....do	.62	.62	.62
Flour	....do	1.25	1.16	1.68
Provisions:				
Beef, salted, pickled, etc	....do	.47	.47	.60
Pork and bacon	....do	2.89	2.89	2.89
All other meats	....do	1.10	1.10	1.10
Lard	....do	2.89	2.89	2.89
Butter	....do	10.82	10.13	10.82
Cheese	....do	.....	.....	1.65

American potatoes are prohibited entry into Spain. American pork and lard are subject to governmental microscopical inspection. The expenses of such inspection are as follows:

Cases containing up to 100 hams, 38.6 cents per case. Cases containing up to 300 shoulders, feet, knees, or tongues, 29 cents per case. Cases containing up to 30 pieces, or flitches, of bacon, 29 cents per case. Lard obtained through fusion, and bacon without muscular parts, are not subject to examination.

SWITZERLAND.

Description.	Per—	1879.	1884.	1887.
Breadstuffs:				
Grain of all kinds	100 kilograms	$0.06	$0.06	$0.06
Flour	do	.19	.24	.24
Bread	do	.19	.24	.24
Provisions:				
Meats:				
Fresh	do	.19	.28	.38
Salted, dried, etc	do	.77	.77	.77
Lard	do	.28	.28	.28
Butter	do	.28	.58	.58
Cheese	do	.....	.....	.72
Neat cattle	Head	.10	.96	.96
Swine	do	.16	.28	.38

PORTUGAL.

Description.	Per—	1885.	1887.	1888.
Cattle	Head	$0.36	$2.70	.....
Hogs	do	.12	1.60	.....
Barley	100 kilograms	.89	2.00	.....
Indian corn	do	1.00	2.00	.....
Oats	do	.89	2.00	.....
Rye	do	1.00	2.00	.....
Wheat	do	1.08	2.00	1.72
Wheat flour	do	1.72	3.00	2.40
Beef, dry	do	2.25	3.75	.....
Meats, other	do	8.50	11.00	.....
Lard	do	5.50	11.00	.....
Butter	do	16.00	20.00	.....
Oleomargarine	do	5.50	20.00	.....
Cheese:				
Fine	do	18.50	21.00	.....
Common	do	10.75		

SWEDEN.

Description.	Per—	1880.	1888.
Cattle	Head	Free.	$1.36
Hogs	do	Free.	.04
Grain, flour*	100 kilograms	Free.	.58
Indian meal	do	$0.32	1.09
Oat-meal	do	Free.	1.36
Meats	do	Free.	.95
Butter, oleomargarine, and cheese (cheese in 1880, $1.87)	do	Free.	2.72

*Grain and breadstuffs paid a "registering fee" of 26.8 cents per 100 kilograms, in 1880, of which there is no mention in tariff of 1888.

ARGENTINE REPUBLIC.

Description.	Per—	1881.	1887.	1889.
Breadstuffs:				
Barley	Cent	.....	25	30
Indian corn	100 kilograms	.....	$4.00	$4.00
Oats	Cent	.....	25	25
Rye	do	.....	25	25
Wheat	100 kilograms	.....	$1.65	$1.65
Flour	do	$4.00	4.00	4.00
Biscuit and crackers	do	8.50	9.00	9.00
Rice	Cent	25	25	25
Provisions:				
Butter and oleomargarine	do	.....	25	30
Cheese	do	.....	25	40
Lard	do	.....	25	30
Meats:				
Fresh	do	.....	25	25
Bacon	do	.....	25	30
Hams	do	.....	Free.	45
In brine	do	.....	25	30

The tariff laws of 1887 and 1889 provide for an assessment of 1 per cent. on the imports of all articles specified, in addition to the regular duties.

BRAZIL.

Description.	Per—	1879.*	1882.	1887.
Breadstuffs:				
Barley	100 kilograms	.....	.....	$1.09
Ship-biscuit	do	.....	.....	.55
Crackers	do	.....	.....	12.01
Maize	do	.....	$0.32	.27
Oats	do	.....	.....	.55
Rye	do	.....	.....	1.09
Wheat	do	.....	.....	Free.
Flour	do	.....	.72	.55
Provisions:				
Meats:				
Fresh	do	.....	.....	1.09
Salted, smoked, etc	do	.....	.....	2.18
Canned	do	.....	.....	16.38
Hams	do	.....	17.60	13.65
Lard	do	.....	8.80	6.55
Butter	do	.....	22.20	19.11
Cheese	do	.....	19.80	16.35

* Ten per cent. less than the tariff of 1882.

In submitting the tariff for 1887 Consul General McCall says: "Under the tariff system of Brazil certain rates of duty are established called 'Duties of consumption,' to each and every one of which 60 per cent. is added." Thus 60 per cent. should be added to the amounts in the 1887 column above. There should also be added to said amounts 5 per cent. for "Emancipation tax."

DOMINION OF CANADA.

Description.	Per—	1881.	1887.
Breadstuffs:			
Barley	Bushel	$0.15	$0.15
Beans	do	.15	.15
Bread and biscuit	Cent	20	20
Buckwheat	Bushel	$0.10	$0.10
Indian corn	do	.05½	.07½
Oats	do	.10	.10
Rice	Pound	.01	.01½
Rye	Bushel	.10	.10
Wheat	do	.10	.15
Corn meal	Barrel	.40	.40
Wheat flour	do	.50	.50
Provisions:			
Butter	Pound	.04	.04
Cheese	do	.01	.03
Lard	do	.02	.02
Bacon, hams, etc	do	.02	.02
Beef	do	.01	.01
Mutton	do	.01	.01
Pork	do	.02	.02
Canned meats	do	.02	.02
Living animals	Cent	20	20

On April 23, 1880, the importation of American cattle and swine into Ontario prohibited, save in bond.

MEXICO.

Description.	Per—	1879.	1880 and 1881.	1885.	1888.
Living animals	100 kilograms	Free.	$0.50	$0.80	Free.
Breadstuffs:					
Barley	do	$0.03	.53	4.00	$4.00
Corn	do	Free.	.50	.80	.80
Corn meal	do	Free.	.50	.80	.....
Oats	do	Free.	.50	.80	.80
Rice	do	$0.02	.52	8.00	.....
Wheat	do	.....	.....	4.00	4.00
Wheat flour	do	.10	.60	8.80	8.80
Vegetables:					
Canned	do	.....	.....	32.00	32.00
Onions	do	.....	.....	2.40	2.40
Potatoes	do	.02	.52	2.40	2.40
Provisions:					
Meats:					
Preserved	do	.72	1.20	20.00	20.00
All others	do	.24	.74	.....	Free.
Butter	do	.....	.....	20.00	20.00
Cheese	do	.....	.....	12.00	12.00
Lard	do	.....	.....	16 00	16.00

No. 2.

PROHIBITION OF AMERICAN PORK IN ASIA MINOR.

REPORT BY CONSUL DUNCAN, OF SMYRNA.

Turkey also catches the contagion of *Porkophobia* from France, and other European countries that have followed her lead, and forbids the importation of American salted pork into the Ottoman Empire.

This may be regarded as a most extraordinary solicitude on the part of the Sublime Porte for the health and well being of her *Christian* subjects, for it is well known that neither Turk nor Jew ever deigns to touch this polluted meat in any form. This action, then, is taken entirely in the interest of her Christian subjects. The Turks even propose to surpass the French in their zeal, in so far that they order all American pork already in the country to be seized and destroyed, while, I believe, the French Government consents to admit what was actually on the way. Thus, one of the important items of American trade at Smyrna and in the entire Levant is destroyed as the result of the hasty and inconsiderate action, as it would now seem, of the French Government, for the other governments have only followed in the wake of the French. Of course, if it be a fact that American pork is generally, or even very frequently, infected with trichinæ, and therefore dangerous to the public health, every government has not only the right, but it is its duty, to forbid the importation, just as it has the right to establish quarantine against contagious diseases. But if we can credit not only the official reports of several of our most distinguished consuls in Europe, but also so important and trustworthy a body as the Chamber of Commerce of Havre, the French Government would seem to have based its action on entirely incorrect information as to the actual condition of American pork. The latter body urges its own government, as I see in the papers, to rescind its order entirely on the ground that there was never any good reason for issuing it.

For the French Government still to maintain this order after all the information and evidence produced as to the perfectly healthy condition of American pork, and in view of the great damage it has already done, and is likely to continue to do, to an important article of American production and foreign trade, could hardly be construed otherwise than as an intentional hostility to important American interests; and she could not reasonably complain of any measures our Government might see fit to adopt in the interest of public health against adulterated French wines and brandies, which are universally admitted to be very injurious to health, probably much more so than our salted pork.

B. O. DUNCAN,
Consul.

UNITED STATES CONSULATE,
Smyrna, April 20, 1881.

No. 3.

AMERICAN PORK.

RESULT OF AN INVESTIGATION MADE UNDER AUTHORITY OF THE DEPARTMENT OF STATE OF THE UNITED STATES.

REPORT.

DEPARTMENT OF STATE,
Washington, April 26, 1881.

Hon JAMES G. BLAINE,
Secretary of State, &c., &c., &c.:

SIR: In compliance with your instructions, that I should visit the cities of Chicago and Cincinnati and report on the pork industries of those great centers of the trade, I left Washington on the 23d ultimo and arrived in Chicago on the 25th.

Following your directions that I should spare no pains to render my investigations of the various phases of the pork industry, from the raising of the hogs until the product is ready for consumption, as complete as possible, I have the honor to state that I have visited (generally accompanied by stenographers and experts) representive hog-raisers, buyers, shippers, packing-houses, stock-yards, rendering establishments, forwarding agencies, and all others nearly or remotely connected with the pork trade, as well as health offices, and to submit the following report, with accompanying papers, as the result of my investigations.

The statistics and testimony herewith presented were obtained from various sources, and are of such a nature as should forever set at rest all fears or suspicions respecting the sanitary condition of American hogs and the quality of the American pork product, and at the same time entitle the trade to immunity from the attacks of those whose interests might be subserved by injuring the reputation of American pork and lard.

THE HOG AND HOG PRODUCTS OF ILLINOIS.

HOG CHOLERA.

The recent alarm in England consequent upon published reports concerning the prevalence of "hog-cholera" in Illinois—reports said to be based upon published returns of the department of agriculture of that State—made it my first duty to visit Springfield, the capital, to seek an explanation thereof.

Having waited upon Governor Cullom and explained my mission, his excellency gave me a letter to Mr. Fisher, secretary of the agricultural department of the State, who has the supervision of the publication of all agricultural reports.

The agricultural department, it would seem, published two sets of returns—one set supplied by the State assessors and the other by correspondents of the department.

The discrepancy between these returns is very marked, and their publication without an accompanying explanation has afforded a seeming official foundation for reports of a very misleading character. For example, in the returns of the "farmer correspondents" the number of hogs which died of hog cholera in the State of Illinois during the year 1879 is given by the department of agriculture as 182,577, while the number of deaths for the same year, as reported by the assessors, is given by the department as 676,738. It was the publication of these last figures which caused so much needless alarm in England.

I submit herewith an official report from the secretary of the department of agriculture concerning the losses in the State of Illinois from "hog cholera" and his explanation of the apparent discrepancy in the returns above noted:

STATE OF ILLINOIS.

DEPARTMENT OF AGRICULTURE, SECRETARY'S OFFICE,
Springfield, March 28, 1881.

SIR: I have the honor to acknowledge the receipt of your favor of the 26th instant asking for information concerning the extent of loss of hogs in this State from "hog cholera."

The following table gives the percentage of loss of hogs from so-called "hog cholera" during the past five years, as well as the average weights of the diseased hogs, and the figures are taken from the official reports received by this department. Said reports were made by farmers of experience, selected by this department by reason of their high standing and thorough knowledge of the actual state of affairs in their several localities:

Year.	Percentage of hogs died from hog cholera.	Average weight of hogs died of the cholera.
		Pounds.
1876	17+	103
1877	12+	104
1878	14+	108
1879	6+	98
1880	7+	104

The foregoing figures conclusively prove that there is no foundation for the exaggerated statements in circulation concerning the increase in numbers of hogs dying in this State from so-called hog cholera.

There has been a large and steady decrease in the loss of hogs in the State from so-called hog cholera—from 17 per cent. of the entire number of hogs assessed in 1876 to 7 per cent. of the number assessed in 1880.

The number of deaths from so-called hog cholera, as returned by assessors, is given below for the years 1877, 1878, and 1879, which also shows that there is a decrease of over 50 per cent. in the numbers of hogs dying of this disease in 1879 when compared with the previous year. The apparent discrepancy in the return of assessors in the following table is partially accounted for by the fact that spring pigs are not as a rule included in the returns of assessors for taxation, and the principal loss by disease is among young pigs.

The table gives the number of hogs assessed for taxation, number marketed, and the number died of cholera for the years 1877, 1878, and 1879, and conclusively proves that the great majority of hogs reported as having died from so-called cholera were pigs not considered of sufficient age and value to be listed for taxation.

Year.	Number of hogs assessed.	Number of hogs marketed.	Number of hogs died of cholera.	Number marketed and died of cholera.	Number marketed and died exceeds assessment.
1877	2,961,366	2,455,573	1,445,268	3,900,849	939,475
1878	3,335,550	2,273,493	1,391,422	3,662,915	327,365
1879	2,799,051	2,543,278	676,738	3,220,016	421,065

During the years named above there were not less on an average than six hundred thousand brood sows in the State, which number, added to the figures in the last column, will approximate the total number of hogs and pigs in the State in 1877, 1878, and 1879.

The decrease in numbers of hogs dying from so-called hog cholera from 1,391,422 in 1878 to 676,738 in 1879 is about fifty per cent., and the percentage of loss by disease the past year (1880) is about the same as in 1879.

All diseases of hogs are included under the caption of hog cholera, so called.

Your attention is invited to the difference between the average live weight of hogs marketed, 252 pounds, and the average weight, during the past five years, of hogs dying from so-called hog cholera, of 103 pounds, and this difference shows that the deaths occur chiefly among young hogs and pigs.

In view of the above fact, there seems to be very little occasion to question the healthy condition of mature hogs when ready for market.

The production of pork has been one of the leading industries of this State for many years, and the various conditions affecting this interest have been thoroughly investigated by intelligent men of extensive practical experience for years, with a view of obtaining the best results as to economy of production and quality of product.

The improvement in the quality of swine in Illinois has probably received as much if not more attention than in any of the States, and it is a well established fact, confirmed by packers of many years' experience, that for superiority of quality the hog products of Illinois are not surpassed.

The increased attention given to the sanitary management of swine has doubtless had much to do with the decrease of mortality.

Yours, very truly,

S. D. FISHER,
Secretary.

MICHAEL SCANLAN, Esq.,
Chief of the Bureau of Statistics, Department of State, Washington, D. C.

It will be observed by Secretary Fisher's report that the lesser figures are from "farmer correspondents selected by the department by reason of their high standing and thorough knowledge of the actual state of affairs in their several localities." It would appear that these farmer correspondents did not include in their returns*† the deaths of pigs among which the principal losses by disease occur as being of no present marketable value, while the assessors included all.

Taking either statement into consideration, it is apparent that the loss of hogs by cholera in the State of Illinois has decreased from 17 per cent. in 1876 to 7 per cent. in 1880. It should be borne in mind that all deaths of hogs, whether from disease or accident, are "placed under the caption of hog 'cholera.'" It appears from the official returns that the number of hogs assessed in the State of Illinois during the year 1880 was 3,133,557, while the number of deaths from hog cholera and all other diseases as well as accidents was 227,259.

It should be borne in mind that no attempt whatever is made, either in Illinois or Ohio, to deny the existence of the disease known as "hog cholera." Hog cholera, or disease similar thereto, and equally fatal, prevails in all hog-raising countries, as is fully verified by various statements hereto atached. But the prevalence or absence of "hog cholera" may be shown to have no bearing on the quality of the hogs which enter into the market nor on the quality of the meats produced therefrom, it being naturally impossible for hogs which have died from disease or any cause whatever to enter into consumption.

Having visited and conversed with some of the principal hog raisers and well known experts, in Illinois and Ohio, I submit the following

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* It is more than probable that much confusion has been caused in Europe by the term "pig" as applied in the United States. Here the animal is call a "pig" until it arrives at the age of about six months; and it is not called a hog until it has reached maturity. In Europe the word "pig" is applied in the same sense as the word hog is applied in the United States. Hence, when the Europeans read of so many "pigs" dying of cholera in the United States, they give the word its European application.

† See in connection, statement of Morrison & Co., p. 32, appendix.

statement, fully substantiated by the annexed papers, to show the manner in which the American hog is raised for the market.

HOG RAISING IN ILLINOIS AND OHIO.

The hogs of Illinois and Ohio (and doubtless the same statement would be true in respect of the hogs of the other Western States) are of various improved breeds, mainly high-grade Berkshire and Poland-Chinas, and, as fully attested by Mr. Foster, a well known British expert, in his letter herewith,* are unsurpassed for purity by the hogs of the best British fancy breeders.

The pigs are generally farrowed in April and May and, as soon as they are able to do so, are allowed to follow corn-fed cattle, with the range of grass pasture and pure running water during the summer and fall. When not following corn-fed cattle, the pigs are fed with corn until the spring grass and their age make it possible for the animals to subsist and thrive on grass alone.

Formerly hog-killing was all done during the winter, and the farmers consequently had a special season for preparing their hogs for market; but now that summer-killing, especially in Chicago, has attained proportions nearly as large as the winter-killing, the farmer can find a market for his hogs at any time during the year, and has only to consult his own convenience as to the time for fattening, being sure of finding a market whenever he has a car-load ready for transportation.

When the hog reaches the age of six months or more—and it is previous to this age, and while he has no present marketable value to the farmer, that the principal deaths from "hog cholera" occur—he is put into pens and well fed upon corn and is also given access to pure spring water. Should the hog be attacked with cholera during this period, he is immediately separated from his fellows, and the disease being fatal, the dead animal must be disposed of by burial or utilized as a fertilizer. The suddenness with which this disease affects the hog is shown in the accompanying statement of Dr. Stetson† who observes that "it destroys life almost at once" and adds that "it is impossible to make good meat of such a hog, by any process whatever, decomposition setting in before the death of the animal in most cases."

It may, in fact, be stated as beyond a doubt that all rumors or reports that American hogs, dying of disease, or even by accident, ever enter upon any market in the shape of meat or lard,‡ are founded wholly upon malice and ignorance, for it is not in the power of the hog-meat *curer* or lard refiner, whatever his inclination, to utilize the meat of hogs which have died of cholera, in any edible form that could pass the most superficial inspection.

Mr. Morrison, one of the leading packers of Cincinnati, of thirty years' experience in the business, says:

> I was brought up as a farmer in Europe, and know that the chances of getting diseased hogs into the American market are as one to a thousand in getting the Old World hogs into the Old World markets, for the simple reason, that in Europe the hogs are generally killed by the farmers, who, when they find a hog getting sick, send for the butcher at once, while in America all the killing, for foreign markets especially, is done in certain central localities—three or four days' journey from the feeding grounds—rendering it impossible for hogs attacked by disease to be disposed of as in Europe.

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* Page 17, appendix.
† Page 22, appendix.
‡ See statement of J. C. Black, esq., page 30, appendix.

A hog that dies from disease or accident can not be cured; he will betray himself immediately. The discoloration of the flesh and skin is such that no art of the curer can remove. Such a hog could be detected at sight in a thousand boxes of meat.

Dr. Ezra Stetson of Neponset, Illinois, a well-known stock-raiser and scientist, remarks as follows:

It makes no practical difference whether Mr. Crump's (the British vice-consul at Philadelphia) estimates are too high or too low. That quite a large percentage of young pigs and a few old hogs die of a disease known as hog cholera all are willing to admit. The loss falls on the producer and not on the consumer, except in the enhanced price paid for the product. It is simply a loss of numbers. It has no effect whatever upon those that survive. The ranks of the human family are being constantly depleted by contagious diseases, but those that escape or survive are in no way injured in their bodily health. Hogs that die of this or any other disease do not find their way to market; those only that are healthy are used in commerce. Since the disease has been known and recognized, no case has ever been reported, or, for that matter, ever can be reported, where swine's flesh has been the cause of human disease.

There is no pork made anywhere in the world that can compare in cleanliness, healthfulness, and all that goes to make a delicious article of swine's flesh, with our American corn-fed pork.

The farmer having a drove of hogs ready for the market sells them to the buyers, who are continually going through the country for this purpose, or he ships them direct to the stock-yards at Chicago or Cincinnati.

Whatever the mode of shipment may be, the shipper knows that it would be useless to forward anything but the very soundest and best animals, for none else could possibly pass the inspection to which they are sure to be subjected, as will be seen further on. As the hogs are from two to five days in railroad transit, and as this transit could not be made by unsound animals, it would prove unprofitable to ship any but the best.

One good effect of the scrutiny which the animals now undergo before being accepted by the packer or exporter has been to completely check the careless handling of hogs which prevailed some years ago.

Instead of driving the hogs to the railroad, as in former times, the farmer, to insure their good condition, now generally hauls them in sleighs or wagons—the mark of a whip-lash, prodding, &c., being sufficient cause for the rejection of a hog by the packers.

They are shipped in well-ventilated cars, fed and watered at regular intervals, and handled with all possible care en route. All that arrive dead or maimed at the stock-yards are almost a complete loss to the shipper.

Upon arrival at the stock-yards* the commission salesman sees to the feeding and watering of the hogs, in order to preserve them in the best possible condition for market.

The dead hogs (for, notwithstanding all precautions, deaths occur in the cars from suffocation, fatigue, omission to water, &c.), are taken possession of by the employés of a company empowered by charter with the exclusive right to seize all dead animals found within the yards. This company fixes an arbitrary price to be paid the owners of such dead hogs—a price so profitable to the company as to insure the watchfulness of its employés.

That a dead hog could escape the vigilance of these interested parties is, at least, not probable. The disposition made of these dead hogs will be shown further on.

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* Particular reference is here had to the Union Stock-yards, at Chicago. The subsequent description of the purchasing, killing, and curing has reference to Chicago packers. It may be said, however, that in all essentials, surveillance, inspection, curing, &c., what applies to Chicago is equally applicable to Cincinnati.

PURCHASING, KILLING, AND CURING.

One of the most experienced buyers at the Union Stock-yards at Chicago, whose statement is annexed hereto,* says:

As proof of the health and soundness of American hogs, it may be mentioned that the number of dead hogs which arrive at the stock-yards will not average one hog to each car-load, although the cars frequently contain between 90 and 100 hogs each, and will average 70 hogs to the car on the receipts the year round. It must also be borne in mind that some hogs are on the railroad for four, five, and even six days in making the journey to Chicago from points of shipment in the far West, and even these come to hand after all the delay in excellent condition.

I have seen hogs arrive at Birmingham and Wolverhampton, from Liverpool, after being eight or ten hours in transit, and the average of dead hogs to the car was many per cent. more than the average on hogs that I have seen arriving at the Union Stock-yards from the Missouri River, after a three or four days' run.

Mr. Williams, secretary of the Union Stock-yards at Chicago, in his communication annexed hereto,† remarks as follows:

The great bulk of hogs arriving at this market are raised in Illinois, Kansas, Missouri, Wisconsin, Ohio, and Indiana.

They are generally well fatted, weighing from 150 to 450 pounds per head. Upon arriving at these yards they are placed in covered pens, fed with the best of corn, and good pure water given them. If any are crippled in transit they are sold to the cheap markets in the city. Dead hogs are taken possession of by the Rendering Company and made into grease and fertilizer. As to the health of the hogs arriving here, I will say that I have been familiar with this market and have been located in the yards for about twenty-six years, and during all those years I have never known the hogs to be in such excellent condition, so healthy, as they have been during the past year.

It is proper to observe here that this report gives full details, from the farrowing of the pig until the meat product is placed upon the local and foreign markets, and that the various details which follow of purchase, inspection, weighing, driving to the slaughter-house, and the process of manufacture for export are the result of a personal examination made by me, accompanied by a stenographer and experts.

The house at which the examinations were made is one of the largest in the world, and kills and cures both for the English and the home markets. As my visit was unexpected, there was no opportunity for any special display on the occasion, even were it possible or necessary to vary the regular course of business of such a vast establishment, where more than a million of hogs are annually slaughtered. Indeed the packers and hog-dealers of Chicago and Cincinnati were only too anxious for the fullest and severest investigation, feeling confident that through such investigation they could refute calumny and correct erroneous opinions in regard to their trade in the most direct and positive manner.

Upon the arrival of the hogs at the Union Stock-yards ‡ at Chicago, the trains are run along-side a platform and unloaded, the animals passing down an inclined plane into pens. The hogs belonging to each owner being collected into large separate pens, the buyers of the different packers examine each lot with a view to purchase. All purchases are made with the understanding that the purchaser has the right of selection and rejection.

After the lot has been purchased and a selection made out of the general drove, the selected animals are removed to what is known as a sort-

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* See statement of Mr. Foster, p. 20, appendix.

† Page 24, appendix.

‡ See, in this connection, p. 27, appendix, statement of John H. Porter, esq., of Cincinnati.

ing-pen, where each hog is inspected by the packer's expert, called a sorter. The severity of this "sorting" is such that no animal can pass unless in the best condition.

As no diseased or crippled animal can *reach* this stage, all those rejected are rejected for reasons not connected with disease or injury.

The rejected consist of sows, stags, rough hogs, hogs having any marks from whips or sticks, &c.

After this careful examination, the selected hogs are driven to the scales of the Union Stock-yard Company and weighed, and an official certificate issued.

The price originally agreed upon is paid by the purchaser on the basis of this official weight.

Up to this point the hogs are subject to the rules and regulations of the stock-yard company, and the owners and purchasers must conform to said rules.

Considering the transportation of the hogs by rail from the farm to the yards, and the handling, selecting, and driving to which they are subject from their unloading until they are weighed in the company's scales, it is apparent that neither diseased nor inferior animals can possibly pass the ordeal.

From the company's scales the hogs may be said to come fully into the possession of the purchaser.

The hogs are then driven up an inclined plane, carefully prepared, into the chute which leads to the packing-house. These chutes are elevated covered-ways, connecting the scales and packing-houses, and running over sheds, pens, and roads, thus facilitating the passage of the hogs to their destination. These chutes are from a quarter to half a mile in length, according to the position of the packing-houses. In winter they protect the animals from storms, and in summer (while they get plenty of air, and fresh water being sprinkled from time to time as they slowly move forward), from the heat of the sun. Should any of the hogs become tired they are lifted into vehicles contrived for the purpose, and hauled along after the drove to the resting pen.

Arrived at the packing-house the drove is allowed to rest, in well-constructed buildings, from twenty-four to forty-eight hours, according to the season, so that the hogs may be thoroughly cooled and in suitable condition for killing.

At the slaughtering place is a pen which is generally supplied with about a dozen hogs at a time.

A chain is fastened around one of the hind legs of the hog, and the animal is hoisted, head downwards, and passed on by machinery to the sticker. It is asserted by experts that this is the speediest and best method of killing the hog, preparing him for quick and complete bleeding when stuck. The noise and struggles of the animal when hoisted have almost entirely ceased by the time the sticker is reached, and when it is considered that as many as eight or ten hogs are killed in the short space of a minute, in the large houses, during their busy seasons, it is evident that the time for struggling must be very short.

After being stuck, the hog is passed along by the same machinery which hoisted him, and is allowed to hang until he is thoroughly bled and life is extinct.

With the perfection of their machinery and the expertness and number of their employés, the large houses in Chicago can kill and handle 4,000 hogs in a day with perfect ease and precision.

All the hogs killed are fully and thoroughly bled, and life is extinct before they have passed from the hanging position into the tank of boil-

ing water, preparatory to their being scraped and relieved of hair and bristles, which latter operation is generally done by an ingenious machine through which each hog is drawn.

After passing through this machine the work of scraping is completed by hand.

The hog is next suspended by the hind legs from a rail, opened, the intestines taken out, the head severed from the body, and the inside thoroughly washed with cold water.

The hog is then slit down the back, the spine removed, and the two sides moved along into a room, where the temperature is always maintained at 32° (Fahrenheit). Here it is allowed to hang between forty-eight and seventy-two hours, for the purpose of removing all animal heat, and to prepare it for cutting up.

From this preparatory room the hogs are taken to the cutting-room, where each is examined to ascertain what his weight and quality fit him for. The lightest and choicest are set aside and carefully cut into sides and hams to suit the English market; the sides and hams being most carefully and scientifically trimmed by expert knivesmen into cuts suitable for the different English districts, viz, Staffordshire, Yorkshire, Cumberland, Wiltshire, etc.

The hams and sides are then conveyed to the cellar and assorted into different piles, according to weight. They are here carefully powdered with English refined saltpeter, which gives them the fine color so much admired by the English buyer; the fleshy parts are sprinkled with a mixture of Liverpool salt and the best granulated sugar. They are then carefully laid one upon another, to a height of about four feet, in which position they are kept for ten days. They are then changed, sprinkled with the same preparation, salt and sugar, and the sides which were at bottom placed on top, and *vice versa*. The cellars where these operations take place are flagged, and are kept scrupulously clean, all light being excluded. Here, at a temperature of 40° (Fahrenheit), the meats are kept undergoing the process of curing for sixteen to thirty days, according to the weight of the pieces, and are then removed to the packing rooms. Here they are thoroughly scraped, cleaned, and retrimmed, and the meat minutely inspected for imperfections, such as bruises, taint, etc. The perfect pieces are carefully sorted into uniform sizes, and according to thickness and weight; and are then weighed and packed in boxes containing about 500 pounds each. Each piece before being placed in the box is rolled in fine Liverpool salt, and salt is also sprinkled between the layers.

The boxes are made of the best quality of lumber, grooved and tongued, the aim being to have them as air-tight as possible. The boxes are made of various sizes to suit the different cuts of meat. Each box is branded with particulars of contents and the packer's and company's names.

The meats are now ready for shipment to Europe. They are shipped in special refrigerator cars, built for the purpose, which in summer are kept at a temperature of 45° (Fahrenheit).

The houses which kill and cure for the English market ship their goods in special trains to the port of shipment, where the meats are immediately transferred to the steamer.

They have special agents at the port of shipment, to insure prompt transfer from the cars to the steamer, and branch houses on the other side to take charge of the meats upon arrival, and give them the care-

ful handling which is so necessary, and for lack of which, as will be told further on, meats, originally good and pure, may become unsalable.

The foregoing process of curing, it will be remarked, is the special process of curing for the European markets, both for the Continent and the British Isles.

The same care is taken in the inspection and killing of the hogs for home consumption, but the sides and hams are cut into shapes to suit the American market, and are cured in American salt, without any addition of saltpeter or sugar. The pieces are handled with as much nicety and precision as for the English market, fresh salt being added at intervals of ten to fifteen days.

Although not cured, sized, and cut in the same style, the home meats are in general fully equal to those cured for the English market; and the entire process of buying, inspecting, killing, curing, and packing home meats is the same, except in some details, as that which characterizes the handling of meats for the English markets, so similar indeed that a description of the process of killing and curing for the American market would be almost a repetition of the foregoing remarks.

The preparation of "mess pork" for the home market is as follows: The sides of the hog, exclusive of the hams and shoulders, are cut into strips of from 6 to 8 inches in width, and packed fresh into barrels, with Turk's Island salt. The barrels are then filled with pickle.

Domestic hams are cured in sweet pickle, composed of salt, saltpeter, molasses, and water, in which they are allowed to remain for sixty days, when they are taken out, dried, smoked, and canvased ready for the market.

In this connection, I can do no better than refer you to a communication, hereto annexed, from one of the largest and most experienced curers and dealers in the West (see statement* by William Henry Davis, esq., of Cincinnati, entitled "American ham-curing for the home and foreign markets," which gives a clear and succinct account of the curing of American hams, both for home and foreign consumption). I had the pleasure of going through the establishment, and of seeing the care and expertness with which the hams were handled until they were packed ready for export, and as this house may be said to represent ham-curing in the United States, it appears to me that no hams in the world can surpass the American for purity, cleanliness, and flavor.

In continuation of the disposition of the hogs by the packers, for everything is utilized and nothing allowed to go to waste, it seems necessary to make some statement respecting the lard product.

Leaf-lard and the fat trimmings from the sides and hams are rendered in iron tanks with steam, at a pressure of from 35 to 40 pounds, and cooked continuously from twelve to sixteen hours; after which the tanks are allowed to settle, when the lard is drawn off into tierces, containing about 330 pounds each.

In this condition the lard is an article of commerce, but before reaching the consumer it generally passes through the hands of the refiner. The settlings of the tanks are valued as a fertilizer.

The lean meat trimmings from the hams and sides are made into sausauge; the feet are sold to the glue manufacturers; the tenderloins and spare-ribs are sold fresh to local consumers; the blood, when dried, is used as a fertilizer; the intestines and salt trimmings collected at the time of preparation for packing are rendered in specially prepared tanks and made into soap-grease; the refuse of these tanks is also used as a fertilizer.

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* Page 25, Appendix.

HOW HOGS DYING OF DISEASE OR ACCIDENT ARE DISPOSED OF.

In view of the reports of our consuls during the last few years, of the recklessness with which statements tending to injure the reputation of American lard have been disseminated through Europe, and the skillful manner in which interested parties have played upon the fears of the consumers as to the probability of "lard" manufactured from hogs dying of cholera or other disease, or even dying from accidental causes, being shipped from the United States and sold to Europeans as a good article, special pains were taken to investigate this part of the hog-product question.

Consul Potter, of Stuttgart, Germany, transmitted to this Department, in the latter part of 1880, a translation, from a leading German journal, of a communication from a correspondent in Chicago, of which the following is a paragraph:

> You are perhaps not aware that in the stink factories at Globe Station, near Chicago, large quantities of lard are produced from animals which have died from disease, and that much of this lard is exported to England and Germany. It is said that it is only used for lubricating purposes, but who can tell what disposition is made of it by the dealers? This lard is as white as snow and is odorless; and it is possible that many poor persons employ it for culinary purposes who have not the remotest idea of how it is manufactured.

The manner in which this paragraph, by its extravagance, overleaps all probability would render it unworthy of serious consideration or refutation were it not for the fact that the fears of the masses in Europe are excited by all such published statements in regard to American lard. No matter how absurd they may seem to us they gain a certain amount of credence in Europe, and their refutation consequently becomes a duty.

All hogs found dead in the cars upon arrival at the Union Stock-yards at Chicago, or dying therein, are taken possession of by the Union Rendering Company,* a company chartered by the legislature of Illinois for this purpose, and shipped to their rendering works at Globe Station, on the Indiana State line.

The company pays the owners of dead hogs an absolute price fixed by itself, which, as was the intention of the legislature when granting the charter, make the business so profitable as to excite the watchfulness of the employés of the company to such a degree that no dead or diseased animal can escape detection.

Accompanied by a stenographer I visited the rendering works at Globe Station, and was shown through the establishment by its very intelligent foreman, a German, who has had twenty-five years' experience in the business. In passing through, this foreman described, in detail, the process of extracting the grease from the dead animals and converting the residue into a fertilizer.

Upon receipt of the dead hogs from the Union Stock-yards they are run up an inclined plane, by steam power, to the top of the building, and then put into the cooking-tanks. After the animals are thoroughly cooked the grease is drawn off and the residue is treated as a fertilizer.

The grease is then barreled and branded according to quality, "White grease" and "Brown grease."

The time occupied in converting the dead animals into these products is but twenty-four hours.

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* See statement of the foreman of this company, p. 28, Appendix. Also statement of Dr. Dewolf, commissioner of health of the city of Chicago, p. 33, Appendix.

The grease, both white and brown, is principally sold to soap manu facturers.

Upon being interrogated as to the possibility of any of this grease being sold in Europe as lard,* the foreman of the establishment said:

> There is a smell from this grease, after our severest refining, which renders it impossible to be palmed off as lard. The hogs dying a natural death decompose so rapidly that it is impossible to convert them into meat or lard.

In Cincinnati the same care is taken to seize and send to the rendering houses all dead and diseased hogs. Mr. Thompson,† the very efficient city contractor for the removal of dead animals, says:

> It would seem to be impossible that diseased hogs could be converted into human food in Cincinnati. Our very efficient board of health would render the opportunity to do so almost impossible, even were there persons bad enough to attempt it. The hogs are inspected as they are unloaded from the cars, and if there is anything wrong with them they are immediately taken possession of by the employés of the city contractor, who renders them down for the grease, which is marked "Dead hog grease," and which is wholly used for soap and other manufacturing purposes, and nothing else. No person could possibly mistake this grease, in any form, for lard.

TRICHINÆ.

In addition to the testimony which is presented herewith, from gentlemen whose professional duties brought this subject within the line of their special supervision and investigation, the general testimony of all intelligent and practical men with whom I conversed concerning trichinæ in pork, is, that in all the West not the slightest fears are entertained in this regard.

Of course this general testimony assumes that pork shall not be eaten without being well cooked. All persons, scientists, farmers, packers, consumers, etc., were unanimous in the assertion that all cases of trichinosis, or suspected trichinosis, coming within the range of their observations, were caused by eating pork in a raw state, generally in the form of sausage, and the very inferior scraps which were rejected as unfit for human food.

The people of the United States may be said to be the greatest pork eaters in the world, the agricultural classes eating thereof two or three times a day during the greater portion of each year, and the subject of trichinæ never troubles them.

In the cities pork also constitutes the meat-food of the working classes almost altogther; and when it is taken into consideration that those portions of the hog not cured by the packers (and so never entering at all into the export trade), such as the tenderloin and spare-rib, are considered by scientists as the portions most likely to infested with trichinæ, and that such portions are sold to the local dealers for local consumption, the few cases of deaths from trichinosis in Chicago, and these the result of eating the raw and inferior scraps, afford conclusive evidence of the purity and wholesomeness of American pork. It may be doubted whether any other animal food, if subjected to so much suspicion and inspection, would show so clean a health record.

In regard to the great pork-eating city of Cincinnati, Dr. A. J. Mills, health officer, says:

> In reply to your inquiry in regard to the prevalence of *trichinæ spiralis* in this city, I beg to state that there has not been a single case of this disease during my term of office; and the records do not show a single case occurring in this city at any time previous to that time.

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* See paper headed "Ohio Hogs and Hog Products," p. 35, Appendix.
† See Mr. Thompson's further statement, p. 35, Appendix.

Thus it would appear that no case of trichinosis has ever been reported as having occurred in Cincinnati. All outside testimony, so far as the investigations went, fully corroborated the statement of Dr. Mills.

Dr. John H. Rauch, secretary to the Illinois State board of health, prepared, at my request, the following official statement:

> Since 1866 eleven deaths have occurred in the State of Illinois of trichinosis, and those deaths, in every instance, resulted from eating raw ham or sausage.*
>
> As a sanitarian, I regard the danger of life from this source as practically amounting to nothing, it being so easily prevented by thorough cooking. No doubt more deaths occur from many other articles of diet that are regarded as harmless, no record of the same being made.

Dr. Oscar C. DeWolf, commissioner of health for the city of Chicago, says:

> Our mortality in this city for the last four years ranged from 8,000 in 1877 to 10,000 in 1880, and only two cases of trichinæ have been reported during that period;† and the fact that the meat rejected by the packers is consumed locally, and is more likely to be infected than that exported, adds materially to the importance of this statement.

Dr. Ezra Stetson, of Neponset, Ill., a scientist and practical stock-breeder and farmer, upon being questioned concerning trichinæ, considered the subject as scarcely worthy of consideration, remarking as follows:

> I suppose you will eat pork with us at dinner to-day. We eat it ourselves continually. We have neither fears nor scruples in this regard so long as it has been well cooked. Trichinæ is not confined to the hog alone; horses, cows, and rabbits are subject thereto; that is, the true parasite. This parasite is effectually destroyed and rendered innocuous by thorough cooking. Just as soon, and no sooner, as all flesh, and even fish, is cooked before eating, trichinæ will cease to be a bugbear.

CONCLUSIONS ARRIVED AT.

The conclusions arrived at in this report are as follows:

1. That the swine of America are of the best and purest breeds,‡ and are fed and fattened for market on corn. It is not believed that swine are thus fed in any other country.

2. That the reports published in Europe concerning the deaths of American hogs from hog cholera are gross exaggerations.

3. That the percentage of deaths among American swine from disease is no greater than the percentage of deaths among European swine from similar diseases.

4. That American hogs which have died or may die of cholera, or from any cause whatever, can have no relation to the meat product (except to decrease it), as such animals can not by any possibility pass the severe scrutiny and inspection to which hogs destined for killing and curing are subject; that, even if it were possible to pass such inspection, no art of the curer could convert such animals into meat which could pass the inspection, in the words of a leading curer, "even of a blind man."

5. That the fears excited and fostered in parts of Europe by interested persons, that any portion of hogs, which have died or may die of cholera or from any other cause, is or can be converted into merchantable lard, are founded on the grossest ignorance, for merchantable lard can not be produced from such dead animals.

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* During this period the average population of Illinois was over two and a half millions.

† This shows only two cases of trichinosis in nearly 40,000 deaths, whose causes are here reported.

‡ See statement of Charles F. Mills, p. 31, Appendix; also statement of J. H. Cunningham, p. —, Appendix.

6. That every pound of the product rendered from diseased hogs, except that part used as a fertilizer, is plainly marked "brown grease," "white grease," or "dead hog's grease," and sold as such largely to soap manufacturers, and that its color and odor preclude it from being mistaken for lard.

7. That the same care is taken in the handling and manufacture of American lard which is taken in the handling and curing of American meats; and that, as the corn-fed American hog* is the cleanest of its species anywhere, it is undeniable that American lard is the purest lard in any market.

8. That the percentage of American hogs infected with trichinæ (though this question is thus far largely one of supposition) is in all probability, by reason of the superiority of the breed and feed, much less than that among the hogs in any other country.

9. That the freedom from trichinosis of the two great pork-consuming centers of the West, Chicago and Cincinnati, furnishes the strongest possible evidence of the purity of American pork. In Chicago, for a series of years in which forty thousand deaths were reported with their causes, only two cases of trichinosis were reported. In Cincinnati during the same period not one case was reported.

10. That the reported cases of trichinosis have resulted from eating uncooked meat,† shown to be inferior or rejected, and that thorough cooking entirely destroys this parasite and removes all danger, in this regard, from eating pork.

11. That the selection, inspection, and killing of American hogs, and the subsequent handling and curing of the meat, are not surpassed, if at all equaled, for care, precision, and understanding, by the packers or meat-curers of any other country.

12. That, as a rule, the hogs selected for foreign trade are in all respects equal to the very best disposed of in our home market.

13. That the great exaggerations so industriously spread in regard to diseased pork have been aided by the different significations attached to the word "pig." In Europe it is used as the synonym of hog, whereas in America it means the young swine under six months and generally refers to those only a few weeks old. The number of "pigs" that die from various causes compared with the numbers of "hogs" that die is very large, and grossly erroneous conclusions are formed by confounding the two words.

As an earnest of the conclusions to which it is hoped and believed the goverments of Europe which have excluded American pork, as well as other governments, may arrive; and in view of your suggestion, Mr. Secretary, that its publication is due to the candid spirit in which the Government of His Majesty the King of the Belgians has met the charges made against the pork product of the United States, I have the honor to add that, as appears by a circular address on the 28th April last by the Belgian minister of the interior to the governors of His Majesty's provinces, the question of excluding American pork from that country has been decided in favor of the United States.

The charge against our product, under which it had been excluded from Franse, is disposed of in this circular by conclusions the substance of which is—

That disease generated by trichinæ in unknown in countries where, as in Belgium, pork is sufficiently cooked; and that it has been demonstrated by many experiments that the trichinæ can not resist a temperature of 56° Centigrade, and that they are invariably killed at a temperature of 75° to 100° C.

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* See report headed "Pork-packing in Cincinnati," p. 37, Appendix.
† See statement of Morrison & Co., p. 32, Appendix.

This report also says:

It is important to make known the fact that pork well cooked, whatever trichinæ it may contain, is entirely inoffensive, and consequently no one need suffer from this cause, unless he wishes to, and nothing is necessary except scrupulous persistence in the use of needful precautions of the kitchen.

Remarking that these conclusions of the Belgian minister of the interior are based on a careful report of the Belgian official council of public health, I have the honor to be, Mr. Secretary, your obedient servant,

MICHAEL SCANLAN,
Chief of the Bureau of Statistics, Department of State.

APPENDIX.

[In addition to the gentlemen who prepared the following statements, special thanks are due, for valuable services rendered in the investigations necessary to the preparation of this report, to Charles Randolph, esq., secretary of the Board of Trade of Chicago; John A. Atkinson, esq., and Mortimer Scanlan, Chicago; Col. Sidney D. Maxwell, secretary of the Chamber of Commerce of Cincinnati, and Hon. J. W. Fitzgerald, of the same city.]

AMERICAN AND BRITISH HOGS AND HOG PRODUCTS COMPARED.

Statement of Michael Foster, esq., of Chicago.

MICHAEL SCANLAN, Esq.,
Chief of Bureau of Statistics, Department of State, &c.:

SIR: Having heard that you are out here collecting information and figures relating to hog raising and pork packing in the West, I take the liberty of addressing you on the subject and stating some facts in this connection that may possibly throw some light on this very much misrepresented though all important question. I am aware that the agitation of the public mind on this subject at present in both the Old and New World renders it absolutely necessary that a matter of such international importance should be approached with caution and touched only by those whose experience and observation have gained them a knowledge on the subject of such an extent and character as may be deemed reliable. With this view I therefore wish to say that whatever I here state are facts and not mere assertions; and when I state that my experience with hogs and hog products runs back over a quarter of a century in the leading marts of the world for these two articles of merchandise, I may be allowed the privilege of claiming a certain reliability if not authority for what I state.

I have before me a letter lately received from a friend in Ireland. It is dated "Limerick, February 16, 1881," and contains the following passage:

"The pig trade is very bad at present, in consequence of a scarcity, and the price of pigs here just now is sixty-five shillings per hundred-weight."

To explain this more fully, I will say that the price for the *dressed weight* for the hog in Limerick is equal to about $16 per "long" hundred, or 112 pounds of dressed pork, making it necessary to obtain on the London market no less than eighty shillings, or say $20 per 112 pounds, for the manufactured article out of the Limerick hog, in order to remunerate the packer or "bacon curer" for his investment.

Taking this fact alone simply proves the market price of Irish bacon in London; but when I tell you that at about the same time 80*s.* to 83*s.*, or say $20 to $21 per hundred-weight was being paid for this Limerick cured bacon you could select the finest brands of Chicago bacon in Liverpool at from 45*s.* to 52*s.*, or $11 to $13 per hundred-weight, you will naturally ask, "What is the cause of this great difference in price? Is the American hog so far inferior to the Irish or English hog?" In answer to this last query I say, emphatically, "No;" and I will undertake to prove not only that such is not the case, but that the reversed condition to that implied by this question is the actual position of the hogs of the two countries in any comparison as to quality that may be instituted between them. I have handled in large numbers hogs raised and fed in every county in Ireland, from 1857 to 1871; as a member of the live-stock firm of Thomas Foster & Sons, Smithfield, Birmingham, I handled 50 per cent. of the imported hog supply for the great manufacturing midland counties of England; I have bought hogs out of the crack pedigree droves of England, including that of William Looker, esq., Clenchwarton Hall, King's Lynn, Norfolk,

one of the most celebrated breeders of pedigree hogs in England; I have handled hogs from the royal farms and from the Smithfield Club Show, London, and the Bingley Hall Show at Birmingham; and in all my Irish and English experience I *never saw* finer or purer-bred hogs than I have seen and handled at the Union Stock-yards, Chicago.

I make these statements, knowing well that the "hog question" is at present receiving keen attention from numerous interested p rties on both sides of the Atlantic, and therefore to take up any position from which one may have to back down is not alone impolitic but unwise.

In Ireland, generally speaking, the hogs are bred promiscuously, unless in exceptional cases where the landlord or large bacon curer introduces fine-bred stock for the free use of the peasantry, which is notably the case in the counties of Waterford and Tipperary, and parts of the counties of Kilkenny, Wexford, Cork, and Limerick; but strict adherence to the principles of pure breeding from pedigree stock is "honored more in the breach than in the observance," and hence the diversity of breeds to be found in the national hog of Ireland. In England, likewise, the different breeds of swine are not kept as pure as they are in a general way in America, though of course there are many "fancy" breeders in England who are as fastidious regarding the "pedigree" of their prize pig" as if the ultimate climax of the hog's earthly career was to be the two thousand guineas or the Derby instead of making sausage and pork pies and boiling with cabbage for the sturdy Britons.

Before leaving the subject of breeding I will give some general impressions you very readily get in moving among hogs in the three countries. In Ireland and England you have to hunt up fine-bred hogs if you wish to see any, and even then, as I before stated, you only find them in "spots," the principal portion of the hogs showing unmistakable evidence of the utter lack of care in breeding from any one particular stock. But in western America, as represented at the Union Stock Yards, your attention is frequently arrested by the singular purity of the breeding of whole car loads of hogs, and even passing over these cases where exclusive breeding seems to have been rigidly observed, you can not help remarking how uniformly first-class pedigree shows through most of the hogs that arrive to supply the demands of the day. It is not an unusual occurrence to see all the hogs of one train of, say from twenty to thirty, cars, exhibiting such strong signs of having sprung from the same original stock as to indicate to the most casual observer that they had all been raised in and shipped from the same section. Now as to the question of feeding, I will state that the American hog is the best fed, simply because he feeds and fattens on Indian corn, the finest grain that grows out of the earth, while "slop" butchers' garbage, brewers' grains, distillery swill, and vegetable matter of various kinds enter largely into the diet of hogs in both Ireland and England, with of course a considerable portion of damaged Indian corn, barley, meal, and poor oats. There is this difference, that, as a rule food of all kinds except oats is cooked for the hogs in Ireland and England, thereby eliminating any "oily" or greasy property in the food, while in America the hog gets the corn "neat" or raw, and as there is 8 per cent. more oil in Indian corn than in any other grain, the "oily" or "greasy" condition is present in a more or less degree in American pork and bacon, though the same amount of care in preparation for market as is given to Irish or English bacon, and a little more age than is generally accorded to it by the trade in this country, would certainly free it from this one detrimental though not unhealthy quality.

I will give a very pointed example here to prove that grain in a "raw" state is apt to make "soft" pork if constantly fed to hogs. In parts of Connaught the hogs are chiefly fed on black oats, and first-class bacon curers discriminate so sharply against them that they are unwilling to buy them even at a large reduction from what they pay for hogs from other parts of Ireland, simply because they are apt to be "soft" in the fat. If any proof were necessary to show that Indian corn is the best food in the world for fattening I would call attention to the fact that while the best beeves in Great Britain are "forced" and pampered with "oil-cake" and other artificial food the mammoth steer of the Western plains is brought up to the splendid condition and huge proportions of a prize winner on the pure "golden grain." In this connection I will recite one more case relating to corn as an article of sound, healthful food for hogs. I once bought hogs for a packing firm that was engaged in putting up fancy cuts of meat for the English market, and we were desirous of getting a test as to the relative merits of hogs from the different sections of the country tributary to Chicago. In fact, it took the form of a test between Michigan and Missouri, because the one (Missouri) represented the "pure corn-fed" hog and the other (Michigan) the "mixed-fed" hog; for be it known that Michigan is supposed to feed in no meager proportion such vegetables as pumpkins, melons, squashes, and other similar "truck," with a small modicum of corn to her hogs. There were accordingly bought for this purpose two droves of hogs on two different days, but of an equal number and weight, and as even and nearly alike in every respect as it was possible to get them. They were killed, cut, and cured separately with the following result: The Missouri hogs

yielded 71½ per cent. product and shrank 1½ per cent. in the curing process, while the Michigan hogs yielded 67½ per cent. product and shrank 3½ per cent. in the curing process, thereby proving most conclusively that "corn was king." The idea suggests itself right here that corn should be cooked for hog feeding in this country, but the labor and expense attending such a system precludes all probability of it ever coming into general practice in the West, where hogs are fed in such large droves.

Given that the hogs in Western America are well bred and well fed, does it follow that they should be more subject to disease than the hogs of any other country? I think this question admits of no answer but the one suggested by reason and common sense, which clearly establishes the negative in any unprejudiced mind. You will remember one thing, that the circumstances surrounding the case admit of no comparison whatever between the relative mortality among hogs and cattle in this country, for the reason that a farmer having a cow on the eve of calving takes particular care that the welfare of the cow just then shall be assiduously looked after, as he can realize from $5 to $10 for the calf after having fed it with the cow's milk for, say, from two to four weeks, whereas the sow under similar circumstances is allowed to take care of herself, because her offspring are more numerous, and will, under favorable conditions, take from eight to ten months to put on the 200 pounds of solid pork required at present price of hogs in the country to realize $10.

Thus it will be seen that very young pigs have no present, but a prospective value and that only, on the farm where they are raised. A sow generally will have from 7 to 12 pigs at a farrow, and the death, through accident or otherwise, of any of the brood causes little if any notice from the farmers as there is no feeling of present loss, so that reports of deaths among the very young swine are taken pretty much as a matter of course, especially on farms where the fruitful and healthy sows are constantly increasing the porcine population. At the age of three or four months the pig begins to have a commercial value and also begins to attract some notice from the farmer, but even then he is expected to get his own living in some shape or other around the farm, and as he instinctively understands the maxim "root hog or die," he will do some "tall" rooting in pursuit of his sustenance. It is at this stage of his existence that his troubles come on him, and he may possibly be called on to help swell "cholera reports" and "mortality statistics," but I don't see why it should be matter of surprise if a young pig has to encounter sickness and every other trouble incidental to extreme youth when it is an established fact that all animals, both rational and irrational, undergo a continued struggle for life during the period of passing from immaturity to maturity.

Generally about the age of six months the pig is penned up in the feed lot and is fed all the corn he can eat until he becomes ripe and fit for market, and at this stage disease seldom claims him for a victim. Now, it is monstrously unjust to try to circulate the belief that the American hog selfishly claims a monopoly of the "hog cholera," when the hogs in Ireland and England suffer to a much greater extent proportionately from the same disease, but under different names. What the scientific name of the disease is I do not know, but it is popularly known in Ireland as the "sudor," and in England as the "purples," and as I have seen hogs affected with the disease in all three countries, I unhesitatingly say that it is one and the same, both in regard to its epidemic nature, its symptoms, and its results.

But to assume that "hog cholera" cuts any figure or in any way enters into the manufacture of cured meats for home or foreign consumptions argues a very imperfect knowledge of the pork-packing business of the present day. Certainly "hog cholera" exists in a more or less degree among American swine, as it also does among the porkers of Great Britain, and it will so exist as long as hogs are bred, but then in America it only represents the "waste" of the industry of hog raising, in the same manner that the broken vases, the cracked crockery, the faulty fire-arm, the false mirror, the tainted bacon, and the locomotive wheel with a flaw in it are the "waste" of the business in which the several makers of these articles are engaged.

With the manufacturers here alluded to, the "waste" occurs at the workshop generally during the early stage of the process of making the goods, and in like manner the "waste" occurs with the farmer at a similar stage in his production of live pork, so that "cholera hogs" rarely find their way into the hands of a pork-packer, who, in fact, is doubly guarded, as I shall show, against such an unwished-for visitation. Drovers who travel through the country in the pursuit of their calling are not easily imposed upon, and are therefore not very likely to buy sick hogs from a farmer. In studying their own interests they ship their stock in good condition, and so it invariably arrives at the stock-yards unless delayed on the road by storm or some other untoward circumstance. Arrived at the stock-yard the hogs are taken in charge by a commission salesman, who is particular to have them well fed and watered before putting them on the market for sale, or at all events before they are weighed to the party who has purchased them. The dead hogs, should there be any in the car, through suffocation, the fatigue of travel, or other causes, are taken by the agents or employés of a company having a charter from Springfield, Ill., for the exclusive right

to purchase all dead animals within the premises of the Union Stock Yard and Transit Company, so that no packer, butcher, or outside dealer can have an opportunity, if so disposed, to convert the fat or any portion of the dead hog into an article of human food.

As proof of the health and soundness of American hogs, it may be mentioned that the number of dead hogs which arrive at the stock-yards will not average one hog to each car-load, although the cars frequently contain between 90 and 100 hogs and will average near 70 hogs to each car on the receipts the year round. It must also be borne in mind that some hogs are on the railroad for four, five, and even six days in making the journey to Chicago, from points of shipment in the far West, and even these come to hand after all in excellent condition. I have seen hogs arrive at Birmingham and Wolverhampton from Liverpool, after being about eight or ten hours in transit, and the average of dead hogs to the car was many per cent. more than the average on hogs that I have seen arrive at the Union Stock Yards from the Missouri River, after three and four days' run. I have said that packers were doubly guarded against "sick" or unmerchantable hogs in their operations at the stock-yards, and in doing so I simply stated a fact that admits of no contradiction. Every packer doing business at this point has one or more buyers as the extent of his business may require, and each buyer has an expert assistant whose duty it is to select from a drove the grade of hogs suitable for the house for which the purchasing and assorting is done, and as the "sorter" is quite a factor in the manipulations of the hog business at the stock-yards, I will here quote from an article on the subject I published some time ago in a local live-stock paper:

"Take, for instance, the grading of hogs, or what is known to the trade as 'sorting,' which is very little understood, except by persons actually engaged in the business. The newspapers may state, as they frequently do, that, for some specified reason, the buyers of certain grades of hogs got a 'good sort' or a 'bad sort,' a 'close sort' or a 'liberal sort;' but, no matter what variations the 'sort' may assume, the phrase is Greek, and the meaning a perfect mystery to the untutored in the classic language of 'swinedom.' We will suppose a case where the buyer for a packing-house engaged exclusively in putting up English meats buys one or more car-loads of hogs from a salesman on the condition that they are to be 'sorted' to suit the requirements of the house for which the purchase is made. To facilitate this 'sorting' there are several 'sorting' pens, popularly called 'mills,' established in close proximity to each scale, and it is here in these 'mills' that the really important branch of the hog business is carried out, for it is certainly here that good or bad, prime or inferior hogs are ground out by the man who does the 'grinding' business in the 'mill' in the capacity of 'hog sorter.'"

With the arrangements so elaborate and perfect for selecting just such hogs as the packer wants, it is difficult to see how he can get any but the primest hogs for use in his trade, and having got them by the systematic methods I have just described, it is not likely that he will relax any of his wonted vigilance in having the hogs converted into the choicest cuts of meat, either for foreign or domestic trade.

It may appear strange to that portion of the public who are not aware that pork-packing ranks third in importance in the industrial records of this country—I say it may appear strange that all this fineness of detail is observed in what is popularly supposed to be a very rough and ready, commonplace business, but nevertheless such is the fact, and furthermore the principle on which several pork-packers here at the stock-yards and throughout the West run their business is to shut their "eyes on expenses," and endeavor by every means that the skill and ingenuity of experienced workmen can devise to get up an article that will be a credit to their houses and satisfactory to their customers. The majority of the packing-houses located here pay their skilled hands from $3 to $5 a day, and generally hire them for a season at these figures. Foremen over the different departments of the house get from $1,500 to $1,800 a year, according to their knowledge of the trade, and generally superintendents are paid from $1,800 to $2,500 a year.

The work is divided into gangs as follows: The killing gang, the cutting gang, the cellar gang, the packing gang, and the "roustabout" or "shoo-fly" gang. Each gang is under the direction of a "boss" who is accountable to the foreman of his department for the work performed by the men under him, and the foreman in his turn is held responsible for the running of the section of the house over which he is placed. This I should say is pretty good discipline for a packing-house, or indeed for any enterprise where organized labor is brought together for the prosecution of a class of work that depends mainly on skill and unremitting care for a successful result.

To describe the working of a large packing-house in detail is not necessary here; therefore I will confine myself to a brief mention of the cutting, curing, and packing. I have always found that the operations of the cutting gang have had more interest for strangers and even old habitues of a packing-house than any other section of the work. There is something almost akin to fascination in watching how deftly a well-

trained knifesman carves a picture in pale pink and white out of the rough side of fresh pork that is placed before him on the cutting bench. It looks like exaggeration to call a side of bacon a picture, but when the "trimmer" puts it out of his hands ready for the cellar his enthusiasm may well be excused when the symmetry, squared ends, and fine lines of the work give it the appearance of having been cast in a mold, and though not a picture in the artistic sense it certainly is a masterpiece from the hands of a mechanic. From the cutting room the meat is sent down through a chute into the cellar, where it is subjected to an ice-cooling process to drive out the last remaining particle of animal heat, after which it is very lightly sprinkled with saltpeter or some other mixed "cure," of which, however, this last-named article is the principal ingredient. After this it is thoroughly salted and piled one on the other with as much mathematical precision as if the work were done under the guidance of a plumb-line. After it has lain in salt for a week or so, it is again "overhauled," though overhauling is not looked upon with favor by packers who want to get a fine "cherry-red" color on their meat.

Packing day comes around in due time and the meat is shipped out under the inspection of an inspecter belonging to the house or one who has been sent to get out some order that has been bought from the house for shipment. In either case the strictest attention is paid to the quality of the meat its age and condition: and everything that does not rank first-class is re-inspected and will ultimately be packed and shipped to the pineries, the mines, the plains, the fisheries, the collieries, and the South, or any other market where they wish a second-class article at hard-pan prices and where epicurean tastes are not cultivated as they are with the over-fed Briton or the dainty Gaul.

With this showing, it is not an unreasonable assumption to contend that the American pork-packer equals the manufacturer or merchant of any country in his desire to put before the public an honest article of food; and when it is considered that his wishes in that direction are backed by proverbial enterprise, unfaltering liberality, and unlimited means, it may safely be stated that he has achieved a genuine success which will surely overwhelm the obstacles that jealously has ineffectually thrown in his way.

In this review of the hog trade at this point, I have not as much as once mentioned trichina, the prime cause of the present great outcry against American pork. I have omitted this purposely to avoid a purely scientific question that I am incapable of handling, but I can nevertheless give my ideas on the subject from a practical man's stand-point. I do not know whether it is known to the American public, but at all events it is well known to the people of Ireland and England, that measles exist to a very great extent among the hogs in both the countries named, and when packers or "bacon-curers" happen to get some of them in their purchases, they simply "dock" the seller of such pig 4*s.* or $1 per hundredweight on the measled pig. In England they are more severe in their dealing with measly pigs; they sell the fat to the tallow-chandler and destroy the lean meat.

I believe the trichina of America and the measles of Great Britain are analogous from the many similar features they present, but I never knew of any one being injured from eating "measly" pork in either England or Ireland, because they cook pork and all other white meat to the point where it is certainly "overdone," and if it had not been for the cannibalism of some of the people in this and some European countries, who persist in eating raw pork, we perhaps would never have heard of trichinæ outside the laboratory of the chemist or the lecture room of the scientist. How can you protect a man who will go deliberately and eat raw pork, heedless of its condition and in direct opposition to every dictate of reason and every decree of civilization? We claim a superiority over the Fiji islanders, forgetful that we have cannibals in our midst who eat raw pork of every conceivable age and quality, and then express holy horror at the Fiji man eating "raw missionary."

American pork is sound and wholesome and vastly superior to what it was fifty years ago, and yet the number of deaths from eating it during the past half century is not enough to be even remembered by the ordinary run of mankind, and is only made matter of record in some bureau of extraordinary causes of mortality. A mere observance of the most primitive laws of civilized life, which demand that we make a distinction in the matter and manner of taking our food between the cannibal and ourselves, would be the surest safeguard for American or European pork in the provision markets of the world.

I remain, yours, faithfully,

MICHAEL FOSTER.

HOG RAISING, HOG CHOLERA, AND TRICHINA.

Statement by Dr. Ezra Stetson, of Neponset, Ill.

I was educated a physician, but for the last twenty to fifty years have been extensively engaged in farming here. The statistics of the losses among swine show that the dead hogs never found their way to Europe. They imagine in Europe that the dead animals enter into the Chicago slaughter-houses.

I contend that American corn-fed pork is the best pork that is made in the world anywhere. I have been on the other side of the "pond" and have seen their hogs; there can be no better article of pork made than is made from corn, grass, and cold water; it is the most healthy feed in the world. We raise on our farm a great many hogs—from three to five hundred a year. I eat our own pork. I am not afraid of trichina; only barbarians eat raw pork or raw meat of any kind. So far as hog cholera is concerned, where hogs are kept together in large numbers and get infected it is because sanitary regulations are not complied with.

You have heard of men talking of typhus fever—for it is now almost a matter of history. Where men in great numbers have huddled together, on shipboard, in camp, where armies were gathered together, they had the fever—the plague they called it in olden times. It is simply typhus fever. It has the name of hog cholera, and it will go by that name, and all creation can not stop it now. At the beginning of the disease, where old and young are not separated, the weak ones are affected, and the larger the herd or swine, the greater the intensity of the virus or poison. This disease gathers intensity by numbers.

Is the attack sudden?

It becomes so potent that it almost destroys life at once.

Your experience is that the hog affected with it will not make a good meat?

It is impossible to make good meat by any process; that hog is not made into meat; the decomposition sets in before the death of the hog in most all cases.

What is the process of raising hogs; are they allowed to run loose, and how long?

We raise our pigs, and we sell them at any age we think we can make the most money; but our pigs that are dropped in March, April, and May, if not disposed of, are most always kept eighteen or twenty months, sometimes two years, before being disposed of. The sows are fed on corn, grass, and cold water.

Don't you think that many cases of so-called hog cholera are from exposure?

Occasionally. The loss of numbers is the best evidence in the world to show the disease; it has the name of hog cholera; there are very few hogs that are perfect; and they are more likely to die of pneumonia than almost any other disease.

Where the deaths are very sudden the hogs die of paralysis of the heart; it arrests the circulation of the blood. There are probably a thousand hogs raised in this State where one was raised fifty years ago. We convert all our corn into pork to beat the railroads; we can not afford to pay transportation; we must consume our coarse grains on our farms, and our meat is certainly better than could be made in Europe.

The hog is the most prolific animal we have; they have from six or eight to twelve and fifteen at a litter. Of course the mortality among small pigs is large; the young pigs do not enter into the reports; they enter into no sort of calculation whatever. We have lost from six to thirty pigs, but those are never included in the count. The loss during the cold season and inclement weather is much greater than in warm weather.

I have felt that we needed quarantine regulations between the States as well as in the States. For instance: If I have cholera among my hogs, it is against public policy for me to remove them from my place, because I may communicate the disease to my neighbor. If they are diseased hogs, I have no business to ship them. I would have local inspectors in every township, and no man should be allowed to remove his hogs from his own place unless they were in perfect condition. That would be public policy anyway. It would be a matter of economy to do that.

What is your opinion, as a scientist, of trichinæ?

The trichinæ scare is one of the silliest things ever invented, even though there is an occasional case found. I suppose you will eat pork for dinner to-day; we eat it ourselves; we have no scruples of conscience about eating pork when it has been well boiled. Trichinæ is not confined to the hog alone; horses, cows, and rabbits are found with trichinæ; that is the true parasite.

What has been the very worst kind of scarecrows are the scientific theorists; they have been imagining all sorts of things to sustain their theory. Now this man ——— has been exercising a horrible influence in animal products; and he has a sort of quasi authority from our Government as having been appointed by Commissioner Le Duc. I had designed to give Secretary Blaine my views, to show them the pernicious effects an regard to our commerce.

I claim, and I have so written and published for a good many years, that hog cholera is an unnecessary disease; it is produced by bad sanitary arrangements. I would

assist sanitary laws, as men do under like circumstances; I have used carbolic acid for the last fifteen years among my swine. I commenced at first by sprinkling their sides; I have also used crystallized carbolic acid and carbonates of lime; and for the last eight or ten years I have been giving my hogs carbolic acid every time they drink, and if they had the disease it has been in so mild a form and they have been so healthy that I did not know anything about it. My attention was first called to this from a report of the Commissioner of Great Britain investigating pleuro-pneumonia.

Now, some assert that corn fed hogs are fatter, but that there is less substantial meat than on pea-fed hogs; what is your opinion?

Well, if we could raise pease I would feed them mixed feed; pease are nicer feed than corn is, but our climate does not raise pease. You can not develop a hog much better on pease than on corn.

Then the corn-fed hog is a clean good hog?

He is the best hog in the world.

Do you think there is an interest among farmers to keep improving the breed of the hogs?

Some claim that by too much breeding the hog lost vitality, that he had been improved so much that he had lost his vitality. Naturalists tell us that hogs have been derived from the wild boar of Europe and the wild boar of Asia. Now, the hog of India is one that takes on flesh remarkably fast, and these two races have been crossed together. As they approximate the hog of India they are all fat, and as they approximate the wild boar of Europe they are all bone and gristle. The happy medium is in combining the two distinct races of the hog, and that of the Poland-China hog combines more points of profit than any other breed of hogs at the present day.

How are the hogs transported from the farm to the railroad car?

No fault can be found in the way they are transported to the cars. At this day nine-tenths of the hogs are taken to the trains on wagons and sleighs; they are not worried so much as formerly, but are carefully handled. They are carried in double-decked cars, but there is hardly surface room enough.

What do the farmers do with their dead hogs?

The hogs, like a dead man, should be removed as a nuisance; although it is not fashionable, yet all the dead hogs should be cremated, and no owner of the dead hogs should be allowed to sell them. I would prohibit it by statute law, making it a nuisance to traffic in dead or diseased hogs.

Could it not be possible for farmers to turn them into fertilizers? No, sir; we are not suffering for fertilizers; we never bought any; it might be tried out into grease.

As to the necessity of this sanitary regulation, Secretary Blaine will doubtless make a recommendation; * * * it should have been done, now it must be; each State, at any rate, can make its own law. There must be uniformity in the laws; there ought to be a general sanitary law. There should be State supervision, and there should be national supervision. * * *

The water furnished to the hogs is medicated every month, or oftener if necessary, with crude carbolic acid. The object of this medication is to promote the porcine appetite and prevent disease; and that object is achieved. By supplying his swine constantly with fresh water medicated in this manner, and by constructing their pens and lots so that they are never in want of pure air, and by other hygienic instrumentalities, Dr. Stetson effectually prevents hog cholera on his farm. He is never troubled by it, even in the seasons during which it rages most destructively around him. His methods with respect to this matter are the result of his knowledge of comparative physiology and pathology, and are well worth the careful study of hog breeders and raisers through the country.

[Extract from an article prepared for publication by Dr. Stetson.]

Since the foregoing was written some new-fangled notions have come to the surface that demand attention. First comes France, with an edict prohibiting the importation of American pork; their savans had just discovered that there may be trichinæ in American pork, which would render it unfit for human food. Since this edict has been promulgated an attack of trichinous disease has broken out in their own country, and from eating the raw flesh of French fattened swine. The truth of the matter is, that trichinæ are occasionally found in swine and other animals in all parts of the globe. Now the remedy, or specific rather, is well understood by all civilized people. This parasite is effectually destroyed and rendered innocuous by submitting meat containing them to the boiling point of water. This cooks the parasite, and no flesh of any kind is safe to be used as human food until its temperature has thus been raised. Trichinæ have been found in the flesh of the ox, hare, sheep, and particularly in the rabbit, of which the French are noted consumers. Just as soon, and no sooner, as the people practice the cooking of all flesh, and even fish, trichinæ will cease to be a bugbear.

There is no country in the world where government supervision of food and drinks is so strict as in France. While I do not complain of this being an evil in itself, if their supervision was extended to the manner of fattening their domestic animals for the butcher, this supervision would be much more satisfactory. With the exception of their veals all other meats are very mediocre if not execrable. Their beef is scraggy; mutton insipid, and horse-flesh blue—of their pork, bah!

No person after seeing their swine fattened, as I have done, would ever hanker after French pork. A few miles from Havre I had occasion to pass a pit of a few acres in extent where the human excreta of this large city was daily deposited. In this pit, at the time I saw it, were somewhere from 50 to 100 hogs, rooting and smelling for their daily bread. Here were all the parasites of the human system deposited in this cesspool for the hog to eat and grow fat upon, and be eaten in their turn by the very Frenchmen who turn up their noses at American corn-fed pork.

It is a matter of natural history that the ova of the tinea (tape-worm), if eaten by swine, will in them produce a disease called measles. Now, this same measly pork contains the ova of the tape-worm, and will reproduce itself in the human family when swine's flesh not thoroughly cooked is eaten by man.

Next comes Mr. Crump, the British vice-consul at Philadelphia, with his statistics of the mortality of the hog in America. It makes no practical difference whether this man's estimates are too high or too low. The slaughter of the innocents began before Saint Bartholomew's day, and will continue to the end of time. That quite a large percentage of young pigs and a few old hogs die of a disease known as hog cholera all are willing to admit. This loss falls on the producer, and not on the consumer, except in the enhanced price paid for the product. It is simply their depletion. The ranks of the human family are constantly being depleted by contagious disease, but those that escape or survive are in no way injured in their bodily health. Hogs that die of this or any other disease do not find their way to market, and only those that are healthy are used in commerce. Since this disease has been known and recognized no case has ever been reported, or, for that matter, ever can be reported, where swine's flesh has been the cause of human disease.

This sensational story has only been gotten up in the interest of parties who are trying to depress the price of one of the great staples of American produce, and one that the laborers of the Old World can not and will not see destroyed. There is no pork made anywhere in this world that can compare, in cleanliness, healthfulness, and all that goes to make a delicious article of swine's flesh, with our American corn-fed pork. Corn, maize, grass, and cold water are the chief factors in making the American hog. In contradistinction to the slop and garbage-fed animals of Europe, we have a decided advantage in a sanitary point of view. Having eaten pork for very nearly three-score and ten years, a large proportion of the time a practitioner of medicine, I can affirm in all good conscience that I have never seen a case or had reason to suspect a case of trichinous disease. Aside from a few cases reported in the Journal of Medicine and the secular press, cases of trichinæ are more rare in America than the deaths from the bites of mad dogs. I do not believe that a single American citizen ever ate, or contracted this disease from eating, raw meat. It is only barbarians that eat raw flesh of any kind.

ARRIVAL AND HANDLING OF HOGS IN CHICAGO.

Statement by Geo. T. Williams, esq.

UNION STOCK YARD AND TRANSIT COMPANY,
Chicago, April 9, 1881.

DEAR SIR: Your letter of inquiry, respecting the live-hog business of the Northwest, their condition, manner of handling the same, etc., is before me. In reply will say that the principal part of the hogs raised and fatted in the Northwestern States come to this market, both for packing here and shipment east. The receipts of hogs at this point for the year 1880 were 7,059,355; the number of head packed here for the year was 5,664,366; the number shipped alive to Eastern markets were 1,394,990; the number of head packed during the winter packing, from November 1, 1880, to March 1, 1881, was 2,781,064; there are packed during the summer, from March 1, 1879, to November 1, 1880, 2,971,127. The great bulk of hogs that arrive at this market are raised in Illinois, Iowa, Kansas, Missouri, Wisconsin, Ohio, and Indiana, and usually reach this market from five to forty-eight hours from the time they are collected in country. They are generally well fatted, weighing from 150 to 450 pounds per head. Upon arriving at these yards they are placed in covered pens, fed with the best of corn, and good pure water given them. If any are crippled in transit they are sold

to the cheap markets in the city. Dead hogs, if there are any, from being overloaded, are sold to the rendering company, and made into what is called grease. The hogs that are in fine, healthy condition are sold to the packers or Eastern shippers. Those sold to packers go into mess-pork, hams, shoulders, long and short clear sides, short rib and various other cuts, and lard, all of which is nicely handled, passing into cooling rooms before placed in pickle, or dry-salt cure.

As to the health of the hogs arriving here, will say that I have been familiar with this market, and located in the yard business for about twenty-six years, and in all those years I never knew the hogs to be in such an excellent condition, so healthy, as they have been during the past year. There never was a crop packed in Chicago more healthy, and that made so fine hog product, as the past year. I have not heard of a single case of trichinæ pork or an unhealthy condition of hogs or hog meat at any packing house in the city during the past year; and you will find this to be the universal answer, inquire of whom you will, that in no year has the hog and the quality surpassed the year of 1880 and 1881.

Respectfully, yours,

GEO. T. WILLIAMS,
Secretary.

MICHAEL SCANLAN, Esq.,
State Department, Washington, D. C.

AMERICAN HAM-CURING FOR THE HOME AND FOREIGN MARKET.

Statement by William Henry Davis, esq., of the house of S. Davis, jr., & Co.

CINCINNATI, *April* 20, 1881.

DEAR SIR: The founder of the house began business in provisions in this city in 1835. Then the packing of pork and beef was chiefly in the winter months, and the greater portion of it was for account of dealers in the Eastern cities. The transportation of the product of that section of the country was by steam and flat boats to New Orleans, thence by vessels to Eastern ports; this required six to ten weeks' time on way. Later in the season bacon for Philadelphia and Baltimore was taken up the river to Pittsburgh, thence by canal and rail. Now provisions are carried from this city to New York by rail in six and eight days.

Changes as great as this is in matter of transportation can be cited in the curing of hams in the West. In early years many hams were cured in country towns with plain salt; they were long and roughly cut. While the city hams were trimmed better, most of them were cured in bulk with a slight use of saltpeter.

In 1841, the former senior of the house cured a moderate number of what were termed fine hams.

With many people in the West there was quite a prejudice against hams cured other than in a plain way.

Until about 1845 there was but a small fraction of the hams cut from the hogs then put up for the Western and Southern markets, that were cured in pickle.

It had been the custom with Eastern provision dealers to place their hams in pickle and forward them in tierces and hogsheads. But those hams were not equal in quality to the hams prepared to-day by the leading curers of the West, whose markets are now almost all over the world.

Instead of a small portion of the hams prepared in the West being of fine cure, as was the case thirty-five years ago, it can now be stated that quite a small number are plain cured. This change has greatly increased the consumption of hams, for all classes now realize the economy and advantage in many ways of a well-cured ham, *which is well cured and not too salt.* For the trade of our own country short-cut hams are preferred. There is an advantage in a long-cut ham if kept many months; the butt protects and prevents a too rapid drying of the better portion of the ham.

Hams are cut from hogs well cooled, but they are usually spread upon floors or racks with a small quantity of old dry salt* for a day or two. The hams are examined before salting and before being placed in pickle, to see that there are none that show any outward signs of bruises, and very coarse hams are set aside, and often the sizes are assorted. Hams are then placed in large vats or casks and pickle added. In the use of sweets, dry sugar is the best. The hams are changed over from three to four times when in pickle; this is done to give more even cure. The number of times in changing hams varies as the desire of curer may be for more quickly curing, and somewhat depends upon the weather. The time taken to cure rests upon the size of the hams and the weather, the curing process being quicker in mild weather than cold. It

* Salt free from bitter water, not fresh from licks.

may be said that the most successful seasons for curing are when there is steady moderately cold weather. Hams are kept in pickle from six to ten weeks; they are taken out, washed, and drained with the shanks down, then the hams are hung by the leg in smoke-houses, and sometimes left to dry before the smoke is placed upon them.

Afterwards they are taken from smoke-houses and carefully tried; even a ham that may only be considered, by an expert, prospectively bad is set aside. The ham is then branded, papered, and placed in muslin, closely sewed. For the home markets hams are dipped in a wash, labeled, and then hung up in racks in a cool, dry place, ready for packing.

For the foreign markets hams are usually of small or medium sizes. Generally they are hung to dry before canvassing. Of late, the hams after being dried are covered with very light muslin, followed by thin paper, and a heavy muslin is sewed upon them. We do not place wash upon the covers of these, unless it be late in the season, and then it is a white wash.

Winter shipments are sometimes in tierces; as the season advances hams are placed in partially open crates. There are more labor and cost in the preparation of hams for foreign shipment than for the domestic market. The modes referred to are more applicable to shipments to France. The demand from that country for past three years has greatly increased, and the dealers have reported that American hams have been steadily gaining the favor of their customers. Trade now, though, is seriously interrupted, as the inspection of meats in France, with its delays, confiscations, costs, and the order the hams are left in after inspection, deters further orders.

Something may be stated about hams found with bruises inside, without any surface indications or means of detection by curers, and only to be discovered when cut. It seems strange to state, but there are probably more to be found in proportion to the number of hogs packed than was the case thirty years ago. And yet hams are better for consumers now than then. Why? The hogs are of better breeds. Feeders many years ago found market for their hogs chiefly in the winter; this caused hogs to be older when killed than now. With the ice-curing and increased growth of cities the demand is for every month in the year, so that hogs are fattened at an earlier age and quicker; their frames and bones are not as strong as the old-time hog, and slips and bruises in transportation are more likely to affect them in the joints.

More care in driving and transportation should be used. The proposed improved stock-cars will greatly remedy all this. A pattern of the new cars was recently exhibited here, and you probably have drawings of same. This is mentioned to counteract the feeling with many consumers of hams that reddish coloring, and sometimes bruises and breaks in meat at joints (which are more likely to be found in heavy hogs), are often mistaken for bad condition of the animal.

The keeping of hams and their cooking, if well understood, would greatly increase their use. The chief fault is that few persons boil, bake, or roast a ham sufficiently, and, when broiled, know how essential it is to have hot coals to cook with, and serve when hot.

Perhaps these are more details than you may have desired, but we respectfully submit the above for your perusal.

Very respectfully, yours,

WM. HENRY DAVIS.

MICHAEL SCANLAN, Esq.,
Bureau of Statistics, Department of State, Washington, D. C.

HOW TO KEEP AND HOW TO COOK HAMS.

[Inclosure in Mr. Davis's statement.]

SELECTING HAMS.

There is no article of food about which so little is really known as the ham. The consumer is puzzled to pick out a good ham or piece of breakfast bacon, and even subtle judges of hams—ham experts—are unable to tell a good ham from a poor one when they see it; therefore the only safe guide for the general consumer is to trust to some standard brand, which for years has been pronounced excellent in all climates, and at any age—one, two, or even four years.

Hams should be taken out of casks on receipt *and hung up in a cool, dry place.*

When mold appears it should be brushed off.

Hams a year old are often preferable, and the same ham can be kept safely two, three, or four years, each year adding to its richness.

Although the trade demands a short-cut ham the long-cut hams have their advantages. The advantages of this cut are that the center of the ham is protected from the strong acid of the smoke and does not dry as quickly as the short-cut.

TO BOIL HAMS.

If early in the season boil the ham as it is; if later, it should be scraped and washed.

If the ham is six or eight months old it should be *soaked* in cold water twenty four hours, and longer in proportion to its age; then boil it slowly, the water being kept at a quiet, low, scalding heat; it should not boil violently, only simmer.

A ham weighing 13 to 14 pounds should boil slowly or simmer *eight* or *nine* hours. After boiling it may be placed in ice water, to prevent the escape of its natural juices, or it may cool in the same vessel.

An old ham may be boiled with a moderate amount of coarse fresh beef placed in the water; this imparts a delicate freshness to the ham, though when cooked this way it should not be kept too long.

TO ROAST OR BAKE HAMS.

A ham to be baked or roasted should be *first boiled*, but not so long as directed above. After boiling, take off the skin, baste the ham with soft powdered crackers or bread crumbs, and place it in the oven until it changes to a dark yellow color; or before baking it may be dressed with flour and cloves, or with sugar.

One of the simplest ways of cooking is to take a ham and soak it two or three hours, even if of recent cure—much longer if an old ham, or according to age—and place it in the improved roaster and baker, a deep pan for roasting or baking with a cover. A medium-sized ham is cooked in three or four hours, and requires very little attention.

Served hot or cold it will be found richer than when boiled.

The *dry part* of a cooked ham may be trimmed off, chopped fine, and warmed up with butter, eggs, and flour, making a palatable dish, and thus economically consuming the whole ham. I also makes good sandwiches.

BROILING.

A broiling ham should be good-sized. Strip canvas off and keep ham in a large thick muslin sack; tie closely for protection and to prevent drying. Cut thin slices from the butt end with a sharp knife and saw (there is no economy in cutting a ham in the middle, as you leave the two cut sides to dry at once); then place the slices over bright hot coals, turning quickly two or three times until the fat is browned. Eat while hot, or, to be brief: "If 'twere done when 'tis done, then, 'twere well it were done quickly."

Some cooks recommend the separation of the lean from the fat, broiling the former and frying the latter, then serving both together.

Breakfast bacon may be broiled or boiled. If late in the season it should be placed in water a short time and dried before broiling.

ARRIVAL AND HANDLING OF HOGS IN CINCINNATI.

Statement of John H. Porter, esq., secretary and treasurer of the United Railroad Stock-Yards.

UNITED RAILROAD STOCK-YARD COMPANY,
Cincinnati, April 13, 1881.

DEAR SIR: In reply to your inquiry as to the live-hog business of the country supplying Cincinnati, their condition, the manner of handling in transit and after reaching the stock-yards, would say that much of the hogs raised in Kentucky, Ohio, Indiana, and southern Illinois are brought to this market, reaching here in from five to thirty hours of transportation by the several railroads centering here. This stock-yard company, acting as the live-stock agent for those railroad companies, have made all needed preparation for the receiving and shipping and all proper care of all live-stock that may be brought here, having a large number of clean, well-paved pens, mostly roofed over, each provided with troughs for watering, hydrant for each pen supplied with water from city water-works, and a full and large supply of water supplied to the stock while in pen. Feed houses with stock of best corn and other feed on hand to answer all demands of owners of stock for feed. A sufficient force of men on hand to promptly care for all stock in receiving and delivering—of night men that are on duty all night to unload and pen all stock received at night; similar force for

same work during the day. Men and teams for prompt delivery of feed, as ordered, and carts for the daily use of the cleaning force, to clean up pens as stock is taken from them.

The several divisions of the yard are supplied each with a scale-house, with scales to weigh the stock in any number, from three or four head to one and two car-loads at once, each scale permanently under charge of a competent and intelligent weigher, and all needed force for the prompt handling of stock. The stock trains arrive at yards at various hours of night and day, and are at once hauled to the unloading chutes, the hogs driven out of cars into the pens, and from these into the sale pens; in these the hogs and all other stock remain under the care and control of the company until the owners, or those having them for sale, have made sale, when they are driven to the scales, weighed, and then delivered to the purchaser here; they are then driven by purchaser to the packing houses, or to the slaughter houses of the market butchers. If sold to shippers, they are driven to pens in the yard adjacent to the railroad tracks, from thence loaded by the employés of the company on the cars.

From the overloading or crowding too many hogs into a car by the owners at the feeding places in the country, hogs are found dead in the car on arrival at these yards. Such dead stock is at once taken to the platform of the fertilizer company in the yard, are there weighed, receipt for weight and price given to owner of stock and paid for. Any hogs dying in the pens from effects of such overloading, or any other cause, are invariably dealt with in same way. These all are daily taken by the fertilizer company to their works and are rendered into grease, oil, or use for manufacturing purposes. By ordinance the fertilizer company are the only purchasers of such stock. The city, by its board of health, keep at this yard at all times a regular inspector of live-stock, whose duty is to examine daily all hogs and other stock arriving here, and if any diseased animals are found in pens or cars, to notify owners of same of their condition and to see that such stock is not disposed of here in any way by which it can be used as food. It can only be sold to the fertilizer company. The company have always given every facility for full and free exercise of such inspection, believing that it is always the wish as well as to the interest of all shippers and owners of live-stock, and of packers and curers of meat, that any diseased stock brought here should be quickly removed from the vicinity of the healthy stock; our experience is that it is seldom such is sent here. The hogs sold in this market are fed when young on corn and clover and then fattened on corn. This feeding is altogether in the fields, pasture and cornfields, where there is a plentiful supply of fresh water, and to be suitable for packers' and curers' purposes and to be considered merchantable must so be fed; this manner of feeding must make healthful and wholesome meat. Hogs fed on garbage or any foul feed, as may be the case in vicinity of large towns, are unmerchantable and show their condition. These may develop the disease of trichinosis, which is of rare occurrence, and such feeding is quite exceptionable.

The half dozen cases of trichinosis that have occurred in the past twenty-five years in the country from which our hogs come have always been traced to the eating of the uncooked meat from hogs so fed. The country adjacent, which supplies the receipts of live-stock here, has been very free the past year from any kind of disease among hogs. The receipts at the yard show this by the quality of hogs received. The percentage of loss in hogs in shipment from country to this place is less than 1 per cent. in dead hogs.

By a law of the National Government it is unlawful to run a train of live-stock more than twenty-eight hours without unloading for rest, food, and water. In the shipment of hogs in summer it is the habit after loading car to have each car of hogs well drenched with water from the water-plug by hose. Of the hogs sold at these yards from March 1 to November 1, or the summer receipts, those killed here are used for the daily market supply or cured for the domestic trade; the rest sold for shipment to Boston, New York, Philadelphia, Baltimore, and Cleveland, etc. The larger proportion of hogs received here between November 1 and March 1 are slaughtered and cured here, and of this product much is exported.

The receipts of hogs at this yard for the year 1880 were 823,789 head. Number slaughtered for same year, 566,410 head; number shipped to other markets east, 257,379 head. These hogs are generally well fattened, weighing from 150 to 400 pounds and upward.

This statement of the manner of receiving and handling hogs at this point will, I think, plainly show the improbability of diseased hogs in any amount or number getting into the cured hog products of this city.

Very respectfully, yours,

JNO. H. PORTER,
Secretary and Treasurer of United Railroad Stock-Yard Company.

MICHAEL SCANLAN, Esq.,
Chief of Bureau of Statistics, State Department, Washington, D. C.

HOW DEAD ANIMALS ARE DISPOSED OF IN CHICAGO.

1.—*Statement of the foreman of the Union Rendering Company, at Globe Station, near Chicago.*

We receive the animals from the city and stock-yards. We run them inside the building under cover, and make connection with our steam hoisting apparatus. We run the carcasses on a small car up an incline plane on to our floor; we run them up by steam power. We skin the horses and cattle, not the hogs; the dead animals were received last night, and are put in this morning; we have 12 tanks here for receiving and cooking the animals; we chop them through once to have them put into the tank. After the carcasses are cooked in the receiver, we draw off the the grease first, and then we run the meat into large vats of water, straining the water eleven times before the river receives it. We keep back the animal refuse by strainers and press it by high-pressure presses—there are 5 presses—taking the animal stuff off dry. This stuff after being pressed and half dry is then run through drying machines. The dry fertilizer is the result of the animal meat. We have two drying machines, which we can work up every twenty-four hours.

We work up all the stuff from the beginning to the end within twenty-four hours after receiving it, if there is no accident to the machinery.

The grease is then barreled and shipped. There are two qualities of grease, and the best grease is sold and branded as *white grease*, and the poorer brown grease is also sold to soap makers, branded as *brown grease*. Much of the grease is sold to Cincinnatti soap-men. This grease can not be sold as lard in Europe; there is a smell to the grease which renders it impossible to be palmed off as lard; the blood of a dead hog that dies a natural death ferments, and it is impossible to get the blood out of the flesh.

Men at this railroad station eat raw pork, German workingmen; they claim it has more strength than the cooked.

The Union Rendering Company is the only establishment that gets the dead hogs in this county; we get all the dead animals from the stock-yards and city.

Question. Have you more dead hogs in summer than in winter?

Answer. In the real hot weather, or real cold weather, we have more, but at other times the stuff comes regularly. Dead cattle and sheep are rendered together to make tallow; horses separate.

Question. Where do you generally sell this grease?

Answer. All over; it is shipped to the South, shipped East, and some in this State; the most of the fertilizer goes to Baltimore.

Statement of the editor of the Drovers' Journal, Chicago Union Stock Yards.

Dead hogs come in the cars with the live ones, sometimes one, sometimes as many as fifteeen in a car. They are taken from the car, put on a platform, and then taken from the platform by carts or trucks for that purpose, to an establishment at the corner of the yards for receiving such carcasses, and from there they are taken to the rendering establishment some miles out in the country, and in that they are entirely separated from the stock-yards and all the operations here. There is no reputable packer that I have ever heard, would ever have anything to do with them—all being rendered into what is called grease. There are a very considerable number of crippled hogs coming in—that is, partially disabled—that can not travel to the packing houses; there is a class of buyers all the time purchasing them, and they are slaughtered for the city trade and almost exclusively used up in that way. The dead hogs are sent to the rendering establishments. There are occasionally a small lot of crippled hogs here, but the packers won't have anything to do with them; the packers, unless they were imposed upon, would not deal in such hogs; on the contrary, the packers are cautioned about them. They are bought by these city dealers that purchase inferior or refuse hogs, and they are used in the city; they are used for the city trade. It is a notable fact in the hog trade that hogs have never been more healthy than during the past year.

HOW DEAD HOGS ARE DISPOSED OF IN CINCINNATI.

Statement by George Thompson, esq.

CINCINNATI, *April* 16, 1881.

SIR: In reply to your request for information in regard to the manner in which dead and diseased hogs are disposed of in this city, I submit the following statement. I beg to premise this statement by saying that I have had an experience in this connection of twenty-five years in raising and feeding hogs, and for the last fifteen years have occupied my present position as contractor of the city of Cincinnati for the seizure and removal of dead animals and animal matter unfit for human food.

In regard to what is termed "hog cholera," my experience is that hogs attacked thereby invariably die. The class of hogs generally attacked are young—too young for marketing—weighing only from 50 to 100 pounds.

I never heard of any hogs attacked by hog cholera or dying from any disease or accident being used, or attempted to be used, for human food. Even if there were parties mean enough to attempt such a thing, the officers and employés of our board of health would at once have them arrested and punished. So that such a thing as using diseased or dead hogs for human food may be set down as having not the least foundation in fact.

The hogs are all inspected as they are unloaded from the cars, and if there is anything wrong with any of them they are condemned and turned over to the city contractor and sent to the rendering works, where they are converted into grease, which is plainly branded "dead hog grease," the residue being converted into fertilizer

Yours, very respectfully,

GEORGE THOMPSON,
City Contractor for the removal of dead animals and animal matter, etc.

AMERICAN MEATS AND LARD IN EUROPE.

Extracts from a statemeni by J. C. Black, esq., of the house of Armour & Co., Chicago.*

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SHIPPING.

After the meat is cured, at the proper time the buyer sends his inspector to the packing house to inspect, receive, and pack the meat. The man we sell to has his own expert who tries every piece of meat and sees it weighed. The meat is perfectly sweet, but he is compelled to be there and see to it. A soft hog they throw that out; that is soft, they don't want it. He tries it with his trier and says it is a little sour, he don't want it. He rejects everything that is not proper, and goes off. It is plain to be seen that what is sour in the shoulder, or sour near the shoulder, has not been salted thoroughly. It is easy to be seen, there can not be any deceit about it. This man does nothing but inspect meat and buy hogs; he is an expert in his business. The meats are then packed into boxes, salt being sprinkled upon it. We cure by salt altogether. The box is then put under a screw and screwed tight, nailed and strapped, made as strong as possible, put aboard the cars, and is shipped.

One great trouble with the meats in Europe is that they do not take any care of the meats after they get there. In Havre, for instance, they lie in the rain, no care being taken of them. They are not put into the warehouse; the rain gets in. These boxes are not water-tight.

In Havre there is a proposition to build some warehouses on all the docks where they can handle these meats. They pile it up four or five boxes high. You can not do anything with your own meats. Different cuts of meat go into the home market. I want even more careful handling than at the home market; the American never finds any fault whatever.

LARD.

It is impossible to render a dead hog into lard; decomposition has already set in. We can not get away with the bad smell of lard after decomposition; it can not be done. You can not render it and have it sweet lard; it is an utter impossibility; it is not in

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[*Those portions of Mr. Black's statement omitted referred wholly to the purchasing, inspection, and killing of the hogs and to curing of the meat, and as those points are fully covered both in the body of my report, as well as in the report of Mr. Foster, it would only be simple repetition to insert them in the above statement.—M. S.]

the possibilities. They do a great many of these things for spite across the water. You will see the impossibility of being cheated; there is no possible object in trying to cheat. The manufacturers' names are on the tierces of lard. The refiner would not receive anything but choice lard. It is called refining; it is a hardening process, the lard being dropped untill it is whitened—it is only handling it—and then they send the lard to Europe. It stands transportation better. You can not sell lard in the raw state; it is first refined. They have extensive refineries in Berlin.

TRICHINÆ.

We examined 5,000 hogs and found no trichinæ; then the health department sent a man; he tried the eyes and sides, and he was unable to find any. We tried the hams and sides. A man came here some time ago, a German who served a long apprenticeship in Europe, and in speaking about the matter said he knew of his own knowledge that their pork was infected more than the American pork. For curiosity we allowed him to spend a week in our yard; he was an expert in his business; he had a microscope; he inspected 5,000 pieces of ham, and then tried 10,000 hogs as they were killed, after they had been fully cut up, and he found nothing.

We had in Europe (at the time this edict was promulgated) 500 boxes of meat and 200 boxes of shoulders; they did not find a single case of trichinæ in the whole lot.

HOG CHOLERA.

Regarding the hog cholera I think it is an entirely mistaken idea about the hog. If a young hog is out exposed to the cold and has taken cold, as we do, it is called hog cholera; a young pig may take cold from being exposed to the rain and storm and die—you know, of course, the sow has nine pigs, and they smother some of them. For that reason I am under the impression myself that we must have more intelligent reports about the disease. The trade which has grown has stumbled along; the Europeans positively wanted our meats, and wanted them to sell.

AMERICAN VS. WESTPHALIAN HAMS.

I went to Hamburgh at one time to get them to take hold of it; their hams were selling for 90 marks a hundred and ours for 50 marks. I went back in less than a month after, and those Westphalian hams were 70 marks and our hams were 60 marks per hundred.

HOG RAISING IN ILLINOIS.

Statement by Charles F. Mills, esq., breeder and importer of Berkshire pigs.

ELMWOOD STOCK FARM,
Springfield, Ill., March 28, 1881.

SIR: In compliance with your request I have the honor to call your attention to the general management of the swine fed in this State for market.

There is such a very limited number of hogs confined in pens and fed slop or swill in this State as to be worthy of no consideration.

The hog product of Illinois is made from hogs of the various improved breeds of swine, mainly high-grade Berkshires and Poland-Chinas.

Pure-bred boars are generally used, and the brood sows are the result of so many crosses by well-bred boars as to readily pass inspection at the hands of the majority of hog breeders and dealers as very nearly pure-bred hogs.

The pigs are farrowed in April and May, and as soon as old enough to get about are allowed to follow corn-fed cattle, with the range of blue-grass pasture during the summer and early fall. When not running after cattle pigs are fed some corn in addition to pasturage until the growth of grass in spring and the age of the pig makes it possible for the animal to subsist and thrive on grass alone.

The range of pasture, pure air, and the healthful exercise necessary for hogs to obtain subsistence develops the growth of muscle and lean meat, and the quality of this meat when finished off on corn in the fall months is not to be compared with the soft, greasy fat meat resulting from feeding slop and swill to swine in small, ill-ventilated pens, as is the general custom abroad.

The "pork products" of Illinois are not approached in excellence by the far-famed "Irish bacon" when firm, well-marbled meat is considered, and it is a well-known

fact that the highest-priced fancy pork products sold in Ireland by Limerick dealers are put up in Chicago, and by special instruction marked with the private brands of Limerick dealers, who have for years past been selling Illinois pork products on the continent as Irish bacon, hams, etc.

The mortality among hogs and pigs in this State, resulting from disease, is comparatively trifling considering the vast number of hogs raised annually and the insignificant value placed on young pigs.

When the neglect of young pigs and indifference manifested by the average hog-breeder as to the number of pigs that survive "pighood" is taken into account, the vitality and power of swine to resist the effects of exposure to the elements and rough treatment is the more remarkable, and is one of the strongest arguments that can be used as to the hardy and vigorous constitution of swine raised in this State.

In early times, when pork would hardly pay the expense of driving the hogs to market, and when hogs were turned out on the open range and expected to hunt their own living, the old maxim of "root, hog, or die" was considered orthodox, and the prevailing sentiment of the present is to the effect that a hog to be worthy of any consideration must be able to "weather the storm," and do well with sufficient corn, grass, and water.

It has been my experience that the mortality among pigs can be reduced one-half by providing shelter and giving reasonable attention to the comfort of the sow and her litter the first month after farrowing.

Absolute neglect and exposure is the cause of the loss by disease of three-fourths of the hogs reported as dying each year in this State from so-called hog cholera, which name is given to all diseases affecting swine.

Yours, very truly,

CHARLES F. MILLS.

MICHAEL SCANLAN, Esq.,
Chief of the Bureau of Statistics,
Department of State, Washington, D. C.

PORK PACKING IN CINCINNATI.

Statement prepared by Messrs. James Morrison & Co.

CINCINNATI, *April* 12, 1881.

DEAR SIR: We have for the past thirty years been actively engaged in the packing and preparation of pork meats for European consumption. In all our experience we can safely say we have never known the hogs of the West to be freer from disease or in a more healthy condition than at present or during the past two or three years. Cholera, or kindred diseases, have always existed among hogs, not only in America, but in Europe, wherever the animal is raised and cultivated. Cholera, as is well known, attacks the young pigs ranging from one to three months in age, the matured and fattened hogs enjoying almost complete immunity from its attacks. In America, the great distances of the feeding fields from the packing centers, and the necessary time consumed in forwarding hogs to the packer, is a thorough and complete protection against any hogs affected with the disease ever reaching the slaughterers' pens. Hogs when attacked with the disease are so prostrated that it would be impossible to move them to market. Three to seven days is invariably required to move hogs from the feeding grounds to the packers' establishments, all of which time the hogs must be active and lively. To pass inspection at the sale pens, all hogs, to be merchantable, must be able to walk on the weighing-scales It will thus be clear to the uninitiated the impossibility of hogs attacked with disease to undergo the days of exhaustion, exposure, and fatigue necessary in forwarding them to market. Again, a diseased hog is easily detected by the discoloration of the meat and skin of the carcass, which the process of curing and all the curers'arts can not restore to the natural color, and would instantly be detected by the inspector or consumer. All meats prepared for foreign shipment undergo a rigid inspection before leaving the packing houses.

Since the introduction of summer or ice curing much meat has been spoiled while in transit. This is the result of too early exposure to the high summer temperature and before the meat has been thoroughly cured, but this is by no means owing to the original quality of the meat. As to the general healthfulness of the products of the hog, the millions of people who are and have been consumers of the meat both in America and Europe and grow healthy and thrive upon it can testify.

As to trichina, we understand not a single case of it has ever been identified in man or woman in Great Britain, the greatest of all pork-eating nations. Isolated cases of it have been reported in America, but we assert the cause can not be traced

to the consumption of fairly cured or cooked pork. That the people of Continental Europe, both at home and in this country, are in the habit of eating uncooked food and sausages concocted of material too vile to be mentioned, and in rare instances suffer unpleasant consequences, should not frighten or deter consumers of regularly-cured and properly-cooked meat of the hog.

Trusting this plain statement of facts as they have come under our observation will be of service to you in your investigations, we remain yours, very truly,

JAMES MORRISON & CO.

MICHAEL SCANLAN, Esq,
Chief of Bureau of Statistics of the Department of State at Washington.

INSPECTION OF HOGS AND HOG-PRODUCT IN CHICAGO.

Statement of Dr. Oscar C. Dewolf, commissioner of health of the city of Chicago.

Under the ordinance we have five meat inspectors on duty; two of them on duty at the stock-yards, and three in the city markets.

Technically, we have no right to exercise police power at the stock-yards; nevertheless the stock-yard proprietors, and commission men dealing in animals, find it to their interest to permit our meat inspectors to exercise their function at the yards, because if we condemn an animal as unfit for food in the yards, they retain the carcass for fertilizing purposes, while if it is put on to the markets outside the yards, we confiscate the carcass when condemned, and make no return to the owner for the material confiscated. I regard that as the sharp and sure method of punishing the dealer. There is a company at the stock-yards, chartered by legislative enactment, known as the "Union Rendering Company." One of the enactments of this charter provides that all dead animals found in the yards, and that implies coming in on the trains dead, or dying after arriving at the yards, as well as animals condemned by our inspectors as unfit for food, shall be turned over to this company for rendering purposes. These dead or diseased animals condemned by our inspectors as unfit for food are turned over to this company for rendering purposes. These dead or diseased animals are removed from the stock-yard inclosure by this Union Rendering Company on their own trains, running to the Indiana line, about 29 miles. There they have extensive facilities for the extraction of grease, and conversion of the residue into commercial fertilizers. During the year 1880, 480,000 pounds of meat found in our city markets by our inspectors, and unfit for use by cause of emaciation of the carcass, bruising of the carcass, or taint after slaughter, had been condemned and thrown into the rendering tanks as above described.

HOGS.

The supply of hogs brought to the yards for the purpose of packing is not critically inspected by our meat inspectors (for reasons above stated) outside our lines, and I am only interested in protecting the citizens of Chicago. I have, however, for scientific purposes and other reasons, kept a very sharp eye upon the condition of the hogs received at the stock-yards since February, 1877. I believe, and indeed I positively know, that the stories and reports current near Chicago, and far from us, touching the disposition of packers to slaughter diseased or emaciated hogs for packing purposes, are maliciously and wickedly false.

The larger packing houses employ buyers for their pens, of great experience, and to whom they pay large sums. Mr. Armour, for example, and the "Anglo American Packing Company," I have understood, employ three men, to each of whom they pay $5,000 a year. The hogs are scrutinized with the greatest care, etc. However, that may be, a hog infected with trichinæ can not be detected by any general appearance of the animal.

I have seen hogs suffering from trichinosis in the most perfect condition of physical health. The only possible means of detecting this condition is by the examination of the carcass with the microscope.

I have been consulted by the packers several times touching the propriety of organizing a corps of scientists, for the purpose of inspecting the carcasses packed at the yards.

The impracticability of any such move will appear to any one who recalls the fact that more than five millions of hogs per annum are slaughtered for packing here. A single individual, no matter how expert, could hardly cover more than ten or twelve carcasses a day.

In September, 1878, I requested two gentlemen, recognized as authority in microscopical work in this city, to undertake an examination of the pork supply which the

packers were using. We have been accredited with a pork supply from 3 to 5 per cent. of which is declared to be infected with trichinæ. It is true that some seasons this per cent. of infection has been discovered, and I am inclined to believe that a similar extent of disease would have been discovered in the domestic supply of France and Germany had the same care been taken in investigation; for example, it was necessary on some occasions to examine fifty specimens from one hog before trichinæ were discovered.

Do you not see how readily such carcasses might be regarded as sound and perfectly free from infection, if you made an examination simply from two or three specimens from the carcass?

In the investigations made by these gentlemen, and by the State microscopical society a few years previous (see report of Chicago health department for 1878, page 21), a number of specimens examined from each carcass showed a thoroughness of work altogether beyond that declared as necessary by foreign examiners.

Our supply of pork this year is more free from trichinæ than for any year, certainly during the last six or eight years previous.

This fact I assert because I have kept for the past month an accomplished microscopist at work in the yards, and he has failed to find a single case of trichinæ.

Another matter of interest in this connection, our mortality in this city for the last four years ranges from 8,000 in 1877 to 10,000 in 1880. Only two cases of trichinæ have been reported in the city of Chicago during that period. This is an important statement, in view of the fact that our markets, without great watchfulness on the part of the health department, are supplied with meat rejected by the packers.

The supply of meat, therefore, distributed to the city has a much greater probability of infection than that used by the packers.

OHIO HOGS AND HOG PRODUCTS.

At a meeting of the pork dealers, raisers, and packers of Cincinnati and vicinity held at the pork room of the Cincinnati chamber of commerce on April 13, 1881, the following information was given concerning American pork products, and the care taken to prevent diseased or unmerchantable pork from entering the trade.

The meeting was called to order by the chairman, Mr. McKeehan, who introduced Mr. Scanlan, Chief of the Bureau of Statistics of the Department of State of the United States, and the Secretary of the Cincinnati chamber of commerce, Colonel Maxwell, read a letter from Secretary Blaine, which also introduced Mr. Scanlan, and stated the object of his visit to Cincinnati.

Mr. Scanlan then said:

There is scarcely any necessity for me to explain the feeling which exists in many countries in Europe in regard to American pork. Rumors of the most derogatory character in this regard have been circulated broadcast in the Old World, as you all know. This erroneous idea about American pork first started in Germany. Some time ago a man in Chicago sent a statement to Germany that all dead hogs, horses, and other animals dying from disease or accident were rendered into lard. To you it would seem impossible that such a statement could receive any public credence, but it has met with sufficient to injure the trade somewhat in Germany. That outrageous statement was taken up in France and then in England, together with the more recent exaggerated reports of this hog cholera. What seems preposterous here seems possible there. Only the other day I read an extract from an English scientific publication in which it was seriously stated that they were not sure what became of the hogs that died of cholera and other diseases in the United States; whether they entered into the trade or not. I, therefore, want to know from you, gentlemen, what sort of hogs you pack, where they come from, how they are received here, what is done with the dead animals, what care is taken to prevent dead animals from entering into the trade, etc., in order that this whole question may be definitely settled.

I would therefore request your chairman to select some of you gentlemen, experienced in this matter, to give me the necessary information in this connection, commencing with hog-raising and following the subject up until the product is ready for export, giving me all the details. Then I want to know what is done with the dead hogs. I will then go to the rendering company's works myself and get a report therefrom.

Mr. LIPPINCOTT. Allow me to remark that the hogs marketed here are marketed under exactly similar circumstances to that in Chicago. We are but a small affair alongside of Chicago, though packers here think, probably, they handle their stuff with more care; but if you have all the statistics with regard to Chicago, I think it will be about the same here.

Mr. SCANLAN. While I am satisfied of that, I would like to have whatever you can give me, and I will lay the matter before Secretary Blaine, and it will form a part of my report, giving these facts from you.

Mr. MICHAEL RYAN. I would like to ask if you want the statement of individuals, or a statement made over the signatures of the officers of this association, this being the pork packer's association?

Mr. SCANLAN. I would like to get a report from some gentlemen to begin with upon hog-raising.

Mr. CUNNINGHAM, of Middleton, Ohio. Mr. Maxwell has a written report from me which he will hand you. [This report will be found annexed hereto.]

Colonel MAXWELL. Do you understand that all the hogs marketed here are corn-fed? I think if Mr. Cunningham would state how hogs are fed it would aid you very materially to understand the quality of our products here.

Mr. CUNNINGHAM, of Middleton. I have fed hogs myself for a number of years, The custom in feeding hogs is to turn them in the field where there is plenty of running water. There is a mistaken idea with some that hogs are not taken care of. They are put where there is plenty of running water and they are fed on the best corn the farmer has. The disease known as cholera first attacks the young pigs. The older hogs are not very often diseased with cholera; it is among the young and delicate pigs chiefly. After the hog matures so that he takes on flesh he is always in a good, healthy condition, and the farmer is just as particular with the hogs as he is with the horse. If a hog is diseased among them the farmer removes him immediately from the rest, and if a hog dies he is buried so that the other hogs won't partake of the disease at all.

Sometimes the disease will be worse in one neighborhood than another. I have fed as high as three or four hundred in one inclosure and never had a hog die. There are no hogs killed in this market at all to my recollection but hogs fed on corn. It is the cheapest and best article the farmer can feed.

Mr. MORRISON. What is your observation as to the disease the last year or two?

Mr. CUNNINGHAM. In our neighborhood it has been less than usual; a great deal less than in former years.

Mr. MORRISON. What is the action of this disease when it first attacks the hogs?

Mr. CUNNINGHAM. The probabilities are that the hog won't feed at all; he will move off from the rest, and the farmer, the moment he sees that hog, gets him out of the way.

Mr. MORRISON. Does it prostrate the hog?

Mr. CUNNINGHAM. Immediately.

Mr. MORRISON. What is the probability of driving the hog one or two hundred miles after he is attacked?

Mr. CUNNINGHAM. It could not be done at all. It have seen them die in two hours; sometimes almost instantaneously.

Mr. MORRISON. Any one familiar with the trade and the manner of feeding hogs knows that almost every hog is three or four day's journey away from the packer's pen. First he must be driven to the receiving pen, and there remains a day to be loaded on the cars; it takes a day or more to bring him to town, and every hog has to walk on to the scale; the rule is that the merchant need not receive him if he can not walk. From the scales he is driven to another pen before being slaughtered, and he afterwards goes through the process of killing and packing, so that it is utterly impossible that a hog attacked with cholera could be driven from the feeding pen and find his way to the slaughtering pens.

Mr. LIPPINCOTT. You will find that nine-tenths of the hogs dying from cholera are young pigs weighing from 60 to 100 pounds. Hogs seem to go through their diseases the same as children with the measles, whooping-cough, &c. The average of the hogs killed here last winter I suppose would be 270 pounds gross, and there is no question but that a fat hog is of necessity a healthy hog; it can't be otherwise. The disease of cholera don't, except on rare occasions, get among hogs ready for market.

Mr. FITZGERALD. How about trichinæ?

Mr. LIPPINCOTT. That is a myth; we don't know of such a thing. There is not a packer in the city of Cincinnati that has had ocular demonstration of that.

Mr. SCANLAN. Have there been any deaths here from trichinosis?

Mr. LIPPINCOTT. Not to my knowledge.

Colonel MAXWELL. There is not a pound of meat packed in Cincinnati that I would be afraid to eat in my own house.

Mr. LIPPINCOTT. The dead hogs that our fertilizing company get are brought in here during the packing season, shipped in perfect condition, understand, but from being crowded in the cars, the cars being overloaded, perhaps, or from being overheated, for the animal heat of a fat pig is intense, and they overlay one another, and occasionally you will find a car with three, four, possibly five or more dead hogs that have been smothered; not dead from disease but from being actually smothered. These comprise the bulk of the receipts of dead hogs by the fertilizing company, and these are rendered up, the bones used for fertilizers and the fatty substance used for grease out of which soap is manufactured, and the idea that any of them get into the trade is preposterous.

Mr. SCANLAN. Would it be possible for a packer to take a dead hog, one that died from disease or accident, and make it into good meat by any means?

Mr. ELMORE CUNNINGHAM. They dare not do it, sir.

Mr. MORRISON. A hog that has died from disease or accident, if you hang him up and attempt to cure him, will betray himself immediately. The discoloration of the flesh and skin is such that no art of the curer can remove. You can detect it in a thousand boxes.

Mr. RYAN. In regard to the hogs bought by the packers at the scales, every hog must be in a merchantable condition. If a man comes here and I ask him his price, and he sells to me, it is understood that the hog must not be slop-fed, but corn-fed; he must be merchantable. If any hog can't walk into the scales from any cause he is not merchantable; so there is no hog purchased here that is not merchantable in every shape, manner, and form. If a hog is not in perfect condition he is rejected by the buyer, and goes to the fertilizing company and is boiled up for grease.

Mr. MORRISON. It has been found by the packers often that the farmers have got out exaggerated reports about the disease to enhance the price of pork. This generally occurs in the fall of the year, just before the packing season opens.

Mr. MCKEEHAN. The farmers will also get out the report that they have lost a great many pigs in the spring of the year in order to influence prices.

Mr. MORRISON. Yes, in the agricultural columns you will find a long string of items that such and such a man's hogs have been affected by cholera, when, if the statistics were presented, they would show a very small percentage; but they have these reports circulated all over the country to show that the crop will be small, and thus affect the price.

Mr. RYAN. There is another rumor gotten up by the farmers and raisers of hogs for the purpose of creating public opinion, giving an idea that the hogs are all dead through the country, thereby framing the opinion that the pork will be very high and scarce. For instance, I met one gentleman about one year ago, and he said: "All the hogs in my part of the country are dead; they all died with the cholera; these are my last lot; I don't think you could get a car-load of hogs in four counties." Two weeks afterwards I met him with two car-loads, and said, "I thought you said the hogs were all dead?" "Well," said he, "these are some I didn't think about!" and, honestly, he came in with forty-seven loads of hogs during the season.

Mr. MORRISON. Just as soon as the farmers find they are injuring themselves these reports will cease. I was raised a farmer, in Europe, and know that the chances of getting diseased hogs into the American markets are as one to a thousand in the old country, for the simple reason that the hogs are all killed at home in Europe, and if they find a hog sick they don't allow him to walk around long, but send for the butcher and have him killed.

There is no more wholesome food in the world than our corn-fed hogs. The European hogs are fed largely from the slops of the kitchen, &c.

Mr. RYAN. We have some slop-fed hogs, however, but they don't enter into the export trade.

Mr. SCANLAN. I suppose it is the same in Cincinnati as Chicago; if there is an inferior hog it is kept for the local market, and the best pork is used for exporting?

Mr. MCKEEHAN. A rejected hog can't be cured here at all, either for the local market or for export.

Mr. SCANLAN. I do not mean rejected hogs or those that are diseased, but such as are not fit for export.

Mr. MORRISON. Our house has been engaged in the foreign trade for twenty years or more, and we pursue the same course as Mr. Scanlan says they do in Chicago, only not quite so much. We select out of the hogs we kill the best and soundest—what we call the smoothest—for the foreign trade. Anything that is the least blemished, as, for instance, a skin bruise, or anything of that kind, is kept for the home market, and I know from my own experience that the choicest meat this country produces goes to Europe. We have an agent in Liverpool who distributes for the three kingdoms, and we have never had a single report of bad consequences from any meat of ours.

Mr. LIPPINCOTT. How about the summer packing of hogs?

Mr. MORRISON. I have written a letter for Mr. Scanlan, in which I touch on that. I say that a large amount of this trouble has occurred since the introduction of summer curing. This arises from the packers shipping before the goods are sufficiently cured, and is bound to make trouble, and the consequence is enormous loss from meat perishing on their hands in Europe. It is not from any original defect in the quality of the meat, but from exposure in warm weather.

Mr. MICHAEL RYAN. I want to say that I was very happy to know that Secretary Blaine has come to our rescue. In three months last winter we packed something over half a million of hogs in this city, and the trimmings, tenderloins, sausage meat, &c., were purchased by all classes of people, and during the whole season I haven't heard a word of one single case of trouble from this cause. We are not afraid to eat

our meat. Every packer in this city has his reputation at stake. We are all engaged in the business, and we are not disposed to risk our reputations for the sake of a few dollars we might make by putting bad meat into a barrel with our brand on it. Packers themselves are interested in seeing that the meat is thoroughly sound and good. We sell a good deal of meat on contracts, and have to hold it for a good while, and we are very scrupulous about seeing that the meat is from good, healthy hogs. Our people have entire confidence in the pork of this city, and there is no man in Cincinnati that is afraid to buy any packer's brand and eat it. I am very glad the Secretary of State has taken this into hand, and hope he will be able to effectually disprove these calumnies.

Mr. SCANLAN. You must make allowances for the Europeans. You have beaten them so badly that they will take advantage of everything and anything to decry American meats.

Mr. MORRISON. I think they should assume a manly manner, however, and put an import duty on our pork if necessary, and not calumniate our products.

Mr. SCANLAN. This thing will all result in raising the value of American pork; it can not be otherwise.

Colonel MAXWELL. You understand that much the larger part of our pork is winter packed, while in Chicago it is not so.

Mr. MORRISON. Summer cure is just as good, however, if properly cured.

Mr. SCANLAN. What are your regulations in regard to your stock-yards; do they all come into one, or have you more?

Mr. MORRISON. There are four in Cincinnati; one principal one, and three others.

Mr. LIPPINCOTT. I would remind Mr. Scanlan that here the Cincinnati Fertilizing Company has a contract with the city, and is the only party that can purchase dead animals where they are found within the city limits. We have an ordinance to that effect.

Mr. SCANLAN. The yards in Chicago are outside the city limits, and therefore are covered and regulated by State law.

Mr. FITZGERALD. Our city law is the same in effect as the State law in Chicago. The very minute a hog becomes diseased the fertilizing company takes possession of that hog.

Mr. LIPPINCOTT. Probably the strongest argument a packer could use is the matter of the safety to his own interests, as that interest is the ruling principle of us all.

Mr. SCANLAN. A great deal of trouble arises from the fact that no care is taken of the meat after it gets to Europe. A Chicago packer had an agent at Havre, to whom he sent a large amount of meat, upon which he fixed a limit in price. The meat was landed on the quays, and the agent not being able to get the limit fixed by the owner, left the meat three or four weeks uncovered on the quays, in the rain and snow.

Mr. LIPPINCOTT. I was told of an instance in which a large Chicago packer sent one thousand boxes of short clear middlings to Havre, fixing a limit on the price, and the commission man not obtaining the price, put that meat in store and waited for the market. He never gave it any attention, and when they came to examine it, it was actually a putrid mass, having perished for the want of being overhauled and resalted. Of course that stuff must find a market for something or other, and people might imagine that was a sample of American hog product.

Mr. MORRISON. There is not much trouble caused by clean pork. The Germans have a method of manufacturing all sorts of garbage into sausage, and that is where the trichinæ is found more than in clean cured pork. I know I have had fellows come to me to buy stuff for sausage, and I have been compelled to notify them that if they did not pay more attention to cleanliness I would report them to the health officer.

Mr. SCANLAN. Is your process of saving any different from that of Chicago?

Mr. MCKEEHAN. No; I think there is no particular difference.

Mr. MORRISON. The people of both Chicago and Cincinnati in a measure sample nearly every carcass, by buying sausage, tenderloin, spare-ribs, etc., so that if there is anything of that kind (trichinæ) they would have it in these cities.

Upon request of Mr. Scanlan, the chairman, Mr. McKeehan, then appointed a committee of three, composed of Messrs. Morrison, Lippincott, and Ryan, to act with Colonel Maxwell, superintendent of the chamber of commerce, to furnish Mr. Scanlan with some official information in addition to the matter given above by the individual members of the Pork Packers' Association; after which the meeting adjourned.

PORK PACKING IN CINCINNATI.

Report of a committee of the Pork Packers' Association.

CINCINNATI, *April* 15, 1881.

JAMES MCKEEHAN, Esq.,
President Pork Packers' Association of Cincinnati:

DEAR SIR: Your committee, to whom was referred the preparation of a report to Michael Scanlan, Esq., Chief of the Bureau of Statistics of the Department of State, U. S. A., on the quality of the hogs packed at Cincinnati, and the liability to bad meats cured therefrom, begs to submit the following:

1st. The hogs packed in this market are all corn-fed hogs, raised mainly in the States of Ohio, Kentucky, Indiana, and Illinois. They are fattened on corn, because it is the most abundant and the cheapest food, and they are usually fed in the fields. They ordinarily have wide range and plenty of water, and are surrounded by entirely healthful circumstances. The rules of the Cincinnati Chamber of Commerce [Rule 23] for the government of the provision trade of this city provide that "all hog product to be 'regular' must be corn-fed slaughtered hogs."

2d. These hogs are mostly driven to the railroads and shipped to some one of the stock-yards of this city, where they are unloaded, placed in clean pens, supplied with water from our city water-works, and fed with good corn.

3d. When purchased by our packers, they are removed to the packing-houses, which are generally located conveniently to the stock-yards, where, by the most approved methods, they are slaughtered, cleaned, and cut in conformity with the rules of the chamber of commerce, and the product cured in apartments constructed and appointed with a view to securing the best possible results.

4th. Skilled inspectors, appointed by the board of officers of the chamber of commerce, under bonds for the faithful performance of their duties, governed by specific regulations, and accountable to the committee on provision inspection, also appointed by the board of officers of the chamber, hold themselves in readiness to inspect all the hog product they may be called upon to inspect, and the rules are so constructed as to offer the largest possible inducements to buyers to have inspected the product they may purchase.

5th. Under the rules for the regulation of the stock-yards, all animals found dead in the cars, which is not an infrequent occurrence, from suffocation by crowding, pass directly to the fertilizer company, under its contract with the city, and are at once removed to its works to be converted into grease, fertilizers, etc., but in no case into any article of food, neither the owners of the stock nor the managers of the yards having any discretion in the matter. It should also be remarked that there are inspectors appointed by the municipality, charged with supervising all stock, so that if there were any inducements to buy any other than sound hogs by the packers, the opportunity would not be afforded.

6th. The best hogs brought to this market are purchased by the packers. Those packed in the past winter averaged 268.37 pounds gross. It will thus be seen that inasmuch as the hogs which are attacked by cholera are generally the young swine averaging less than 100 pounds per head, by the time the hogs attain the size required by the packers they will have passed the ailments to which young animals are generally liable; and, furthermore, that as a sick hog can not be fattened, the liability of a packer here to get a sick animal is very remote. Even if a hog of such weight as is usually bought by our packers should be afflicted with cholera when killed, the meat would be so affected in color as to be at once discoverable, and if put in with sound meat would be liable to impair the quality of the good. Ordinary business prudence would thus prevent any attempt to utilize the product of the sick animal. The hogs freest from bruises, abrasions, etc., are selected for the foreign markets.

7th. As to trichinæ, it is our firm conviction that if any at all exists in hogs packed at Cincinnati it is in such exceptional cases as to reduce the liability to accident from their presence to the infinitesmal. The circumstances under which the hogs marketed here are raised and fed are so unfavorable to the production of this enemy of the hog product under certain conditions as to render its presence the most remote possibility. Doubtless the hogs going into home consumption would, in the very nature of the case, be most likely to be affected, and yet the existence here of a single well-authenticated case of sickness arising from using pork so affected is unknown.

8th. The packers of this city are generally old, reputable houses, who could not afford to risk their good name, nor hazard the reputation of their product, by killing and curing any other than healthy hogs.

9th. From our observation and information the hogs of this locality, and of the entire country, have been, during the past year, unusually exempt from maladies of all kinds.

JAMES B. LIPPINCOTT,
MICHAEL RYAN,
THOMAS MORRISON,
SIDNEY D. MAXWELL, *Secretary*,
Committee.

HOG-RAISING IN OHIO.

Statement by J. H. Cunningham, esq.

MIDDLETOWN, OHIO, *April* 12, 1881.

DEAR SIR: In compliance with your polite request, I beg to say that I reside at Middletown, Butler County, Ohio, and for more than thirty years have been familiar with the business, both in hogs and the meats made therefrom. This locality raises hogs largely, and ships them to foreign countries as well as to various parts of the United States. From my observation I should say that the health of the hogs in this vicinity in the past year has been singularly good, as good as at any time in a period of twenty years.

I might remark as far as hog cholera is concerned, that the disease, when it prevails generally attacks the young swine, while the matured hogs are measurably exempt. Not only so, but you can not get a diseased hog to take on fat. Now, inasmuch as only the well-fatted and grown hogs are used by the packers at Cincinnati, it will be seen that, even in an epidemic, there would be comparatively little danger from bad meat. The hogs of this locality are usually fatted in the fields, away from all unwholesome influences, and since corn is the cheapast article with which to fatten the animal, there is no temptation to use anything else. These hogs generally, after leaving the fields, require three days before reaching the slaughter pens, so that if they were sick before they would reach the slaughterer they would be almost certain to be discovered, and, even if killed, the appearance of the meat would at once condemn it.

I give it as my candid opinion, based on a large observation as a packer and otherwise, that the pork of Cincinnati was never more wholesome than now, and that the danger from disease of all kinds is no greater than from any other kind of food. In my judgment there never has been a time when there was less occasion for alarm.

Yours, very respectfully,

J. H. CUNNINGHAM.

MICHAEL SCANLAN, Esq.,
Chief of the Bureau of Statistics, Department of State, Washington, D. C.

HAMILTON, BUTLER COUNTY, OHIO, *April* 13, 1881.

My opportunities for observation have been similar to Mr. Cunningham's and I fully concur in all that he has said on this subject.

W. SHAFFER.

PORK-PACKING IN CINCINNATI.

Statement prepared by Col. Sidney D. Maxwell, superintendent of the Cincinnati Chamber of Commerce.

WINTER SEASON, NOVEMBER 1, 1880, TO MARCH 1, 1881.

Whole number of hogs packed	head	522,425
Average gross weight	pounds	268.37
Average yield of lard	do	20,617,859
Average yield of lard per head	do	39.46
Aggregate cost		$6,466,288
Average cost per 100 pounds gross		$4.61.19
Total amount of barreled pork produced	barrels	26,596
Amount of lard produced:		
Tierces		61,009
Barrels		100
Kegs		1,083
Buckets		3,435

Production of cut meats (green weights):		
Clear sides	pounds	3,667,127
Clear rib sides	do	30,379,095
Long clear sides	do	2,893,957
All other kinds of sides, including rough sides and bellies	do	3,700,829
Hams	do	15,758,450
Shoulders	do	12,980,389
Total production of cut meats	do	69,379,847

SUMMER SEASON, MARCH 1 TO NOVEMBER 1, 1880.

Whole number of hogs packed	head	110,556
Average gross weight	pounds	252.78
Aggregate yield of lard	do	6,042,121
Average yield of lard per head	do	54.65
Aggregate cost		$1,266,313
Average cost per 100 pounds gross		$4.53.11
Total amount of barreled pork produced	barrels	2,065
Total amount of lard produced	tierces	17,814

THE HOGS AND HOG PRODUCT OF THE UNITED STATES.

Statement presented by the Anglo-American Packing Company, Chicago, Ill.

It is difficult to point out many new or interesting features relative to the trade in general, simply because there are none. The magnitude of the trade, and its value to the commercial interests of the country, are facts quite well established. The Bureau of Statistics at Washington gives the

VALUE OF HOG PRODUCTS EXPORTED

from America for the year 1880, at $100,799,414, against $77,356,947 in 1879. The same authority gives the gross weight of hog product exported for the year 1880 as 1,326,157,330 lbs. against 1,081,892,318 lbs. for the year 1879, an increase of 244,265,012 lbs. Add to this the amounts consumed at home and it is apparent that this is one of the leading industries of the United States. The capital employed in the prosecution of the business, the money paid out for hogs, the immense number of men employed, and it is easily seen that, to the West especially, it is of most formidable necessity. Look beyond this and imagine, if one can, that there is not a farmer in the entire West but looks to the packers to buy his hogs, and it is seen that it is an interest which

PERMEATES THOUSANDS UPON THOUSANDS

of households, for to the packers belongs the credit of having so thoroughly introduced to the Old World the value of the meat of the hog, and having developed an immense demand therefor. Of course they did this more especially for their own profit, but what would the trade have been without their assistance? The business has grown to such immense proportions that it practically controls itself now—has grown to man's estate, and therefore able to take care of itself.

TRICHINÆ.

On the 18th of February, 1881, the French Government passed a law prohibiting the importation of American hog products within her borders. This action was peremptory, the law going into effect at once, no word of warning being given either buyers in France or shippers from America. As a result of this, all the product in transit for that country, as well as considerable for which inland and ocean freight-room had been engaged, was practically without a landing point. The decree was an unjust one; the world does not believe, nor is there any justice, in *ex post facto* law. So far as France is concerned, America could have gotten along without her aid, and found a market for whatever of hog products she had to sell; but the action of the hot-blooded French created distrust, fears being entertained that other countries might take similar action on the impulse of the moment, and this caused a bad break in values at all points. There has been some modification of the law as originally passed, and we predict that the Government of France will yet be glad to rescind her unjustified action. But it cost the provision dealers of America thousands upon thousands of dollars, and worked an injury to the trade which it will take time to eradicate.

In this connection, we submit to the world at large a few simple facts in regard to this matter. America produces annually from 33,000,000 to 35,000,000 head of hogs. Each one of these

HOGS REPRESENTS A MONEY VALUE,

and every hog that dies of disease entails an actual money loss. It is not reasonable to suppose that hog producers want to lose hogs, for the hogs represent money; and besides, for the last three years none of the farm productions have paid a greater per cent. of profit on the investment than that of hog raising. The corn crops for three years have been large ones, and prices for the same, in consequence of large crops, have ruled low. For this reason corn has been fed very freely to hogs, for it brought more in this shape than in the berry. In the light of these facts (and they are facts) is it not reasonable and common sense to suppose that hog raisers would take care of their property, and if there was any diseased stock, take it away from the herd and take care of it? There is no healthier food than

AMERICAN CORN FOR HOGS,

and no better meat food than that which has for its foundation corn. It is the sheerest of nonsense, it is foolish, to claim that American bacon is not, on the whole, extremely healthy. The great trouble with France, and some other countries, lies in the fact that it sells cheaper, and is better than their own productions.

It would be idle to claim that there is never any disease among hogs. The law of nature teaches us better. But a little reasoning on the part of our foreign brethren must convince them of one fact, and that is, that the American people can not afford to allow any disease to gain any hold upon hogs. The interest is too large—there is too much money at stake. The hogs are raised as a matter of business, and strictly for pecuniary gain; the product is made for the same purpose. We do not raise hogs or manufacture bacon for the sake of simply feeding people. Neither the producers nor the manufacturers are foolish enough to work against themselves, and this is just what it would amount to if they should allow any diseased hogs to be sent to market. If the industry was small instead of large, there would not be so great an incentive to be careful as there now is, but where

MILLIONS OF MONEY ARE AT STAKE

the future is not lost sight of. The great trouble is, America's exports exceed her imports; she is growing rich somewhat at the expense of other nations; and, unless we are not mistaken, this disparity in the balance of trade between the Old World and the New has had more to do with raising the cry of trichina than the existence of the parasites themselves.

The system of direct shipments noted for the last two or three years especially, continues an important factor in the provision trade. It is now so complete that through bills of lading are issued to every prominent point in the world, as well as to many minor points. This does away with a great deal of incidental trouble, as well as facilitating the transfer of goods, and assisting in exchanges. All the lines of ocean carriage (or nearly all) have representatives in this city, all of whom are enabled to issue through bills direct. Besides reducing the incidental expenses which would be incurred if product was shipped from here to the sea-board, and reshipped from there, it facilitates a more rapid transfer, and enables shippers to count more readily the number of days required to lay the property down at a given point.

PROSPECTS FOR THE SUMMER SEASON.

The summer season of 1881 promises to be less active than that of 1880 in a manufacturing sense, for the chances are the supply of hogs will be less than then. As there is reason in all things, this is our reason for the assertion: From early in 1879 until late in 1880, a period of at least eighteen months, there was scarcely a day that hogs would not gain flesh by proper feeding, the winter of 1879–'80 being an extremely temperate one, and exceedingly favorable for raising stock. The result was a meager mortality among the pigs, and a resultant large crop of hogs. High prices ruled throughout the summer and the last winter months, and no doubt hogs were marketed much closer than usual on this account. The winter just closed has been an exceedingly severe one for hog raising, and as the old stock was drawn down lower than usual, there are certainly good reasons for stating that the nucleus for a big crop is lacking, a much larger number than usual of young hogs perishing by virtue of the severe winter. There is plenty of good corn in the country, and there will be a good many hogs gotten ready for market, but not nearly so many as last year; while, if the consumption increases in the same ratio as it has in the past, we ought to have a good many more hogs than during the summer of 1880. Ice is plenty and very cheap, and the cost of cure will be reduced in this particular, but it is extremely doubtful if packers will be enabled to secure all the hogs they need, for reasons above noted.

CHICAGO, *March* 18, 1881.

PORK PACKING IN CHICAGO DURING THE YEAR ENDING MARCH 1, 1881.

Statement prepared by Messrs. Davies, Atkinson & Co., packers for the English market.

Packers.	Summer packing, March 1 to November 1.			Winter packing, November 1 to March 1.					Total hogs packed for twelve months.
	Hogs packed.	Average net weight.	Average yield of lard.	Live hogs packed.	Dressed hogs packed.	Total hogs packed.	Average net weight.	Average yield of lard.	
	Number.								
Agar & Marshall	4,000	240.00	53.00	3,000	2,000	5,000	260.00	57.00	9,000
Allerton Packing Company	69,406	209.00	41.30	69,812	2,145	71,957	257.00	46.13	141,363
Anglo-American Packing and Provision Company	719,363	170.15	26.00	447,014	.....	447,014	179.80	28.00	1,166,377
Armour & Co	708,555	213.50	31.50	501,537	.....	501,537	242.75	43.50	1,210,092
Arnold Brothers	6,000	260.00	120.00	1,000	2,250	3,250	260.00	120.00	9,250
Baldwin, George D., & Co	52,449	209.00	35.00	31,604	4,706	36,310	243.05	45.00	88,759
Botsford, H., & Co	128,894	224.68	38.93	118,158	.....	118,158	260.76	50.25	247,052
Bush, W. H	7,800	220.00	50.00	3,990	70	4,060	210.00	40.00	11,860
Carpenter, W. O., & Son	1,082	186.00	30.00	.....	7,434	7,434	195.00	31.66	8,516
Chicago Packing and Provision Company	27,336	237.00	42.00	357,126	.....	357,126	241.20	47.36	384,462
Cudahy, John	64,654	208.00	35.48	73,560	.....	73,560	239.70	40.21	138,214
Dahmke & Fischer	5,724	223.00	57.00	2,784	160	2,944	257.00	48.40	8,668
Davies, Atkinson & Co	198,957	164.82	27.00	146,842	.....	146,842	162.36	25.00	345,799
Delaney, James J	800	250.00	90.00	.....	3,000	3,000	250.00	90.00	3,800
Doud, L. B., & Co	111,271	164.00	29.00	117,026	.....	117,026	180.40	33.00	228,297
Dupee, Cyrus & Co	.....	.....	.....	16,162	.....	16,162	238.00	45.09	16,162
Hately, John Craig	74,585	173.00	29.35	48,969	.....	48,969	168.00	29.42	123,554
Heeney & Sons	45,781	160.00	23.00	16,221	.....	16,221	130.00	16.12	62,002
Higgins, George W., & Co	60,186	212.00	40.00	149,889	433	150,322	246.00	46.25	210,508
Jones & Stiles	89,509	190.00	30.39	70,875	.....	70,875	160.00	24.00	160,384
Latcham, Dawson & Miller	17,000	190.00	31.00	.....	.....	.....	.....	.....	17,000
Meyer, E., & Co	2,600	200.00	40.00	500	2,300	2,800	240.00	60.00	5,400
Moran & Healy	.....	.....	.....	42,991	.....	42,991	165.64	26.50	42,991
Murphy, B. F., Packing Company	99,734	218.40	41.00	108,653	.....	108,653	246.90	49.00	208,387
Palm & Schuler	.....	.....	.....	9,873	.....	9,873	156.00	24.00	9,873
Ricker Packing Company	41,368	205.00	34.73	50,002	.....	50,002	245.30	47.11	91,370
Silberhorn, W. H	.....	.....	.....	62,782	.....	62,782	157.20	23.18	62,782
Small, William	45,883	156.00	25.00	60,047	.....	60,047	161.00	25.00	105,930
Teufel & Seiter	25,372	140.70	20.61	.....	.....	.....	.....	.....	25,372
Teufel, Son & Co	55,476	145.00	20.00	48,993	.....	48,993	160.00	25.50	104,469
Tobey & Booth	224,048	178.00	26.00	136,245	.....	136,245	182.00	25.77	360,293
Underwood & Co	28,735	150.00	40.00	17,366	.....	17,366	170.00	43.00	46,101
Small houses	54,559	205.34	51.12	9,421	34,124	43,545	233.30	60.70	98,104
Total	2,971,127	189.54	30.83	2,722,442	58,622	2,781,064	212.55	37.94	5,752,191

Total season 1879–'80	2,155,418	190.77		2,525,219		4,680,637
Total season 1878'–79	2,017,841	194.26		2,943,115	40.59	4,960,956
Total season 1877–'78	1,508,026	196.09		2,501,285	44.44	4,009,311
Total season 1876–'77	1,315,402	189.79		2,618,084	39.60	2,933,486
Total season 1875–'76	728,781	176.19		1,592,065	35.10	2,320,846
Total season 1874–'75	446,368	.....		1,690,348	36.32	1,781,896
Total season 1873–'74	306,536	.....		1,520,024	37.30	1,581,560
Total season 1872–'73	31,571	.....		1,425,079	37.44	1,456,650
Total season 1871–'72	10,450	.....		1,218,868	44.02	1,229,208
Total season 1870–'71	48,917	.....		869,170	43.73	918,087
					37.94	

Total season 1879–'80	2,421,943	103,276		2,525,219		4,680,637
Total season 1878'–79	2,823,743	119,372		2,943,115	40.59	4,960,956
Total season 1877–'78	2,381,116	120,169		2,501,285	44.44	4,009,311
Total season 1876–'77	1,494,512	123,572		1,618,084	39.60	2,933,486
Total season 1875–'76	1,554,847	37,218		1,592,065	35.10	2,320,846
Total season 1874–'75	1,659,436	30,912		1,690,348	36.32	1,781,896
Total season 1873–'74	1,461,084	58,940		1,520,024	37.30	1,581,560
Total season 1872–'73	1,365,364	59,715		1,425,079	37.44	1,456,650
Total season 1871–'72	1,110,557	108,301		1,218,868	44.02	1,229,208
Total season 1870–'71	741,723	127,447		869,170	43.73	918,087
					37.94	

Total season 1879–'80	2,155,418	190.77	33.48	2,525,219		4,680,637
Total season 1878'–79	2,017,841	194.26	36.72	2,943,115	40.59	4,960,956
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Total season 1876–'77	1,315,402	189.79	29.10	2,618,084	39.60	2,933,486
Total season 1875–'76	728,781	176.19	26.77	1,592,065	35.10	2,320,846
Total season 1874–'75	446,368	.....	.....	1,690,348	36.32	1,781,896
Total season 1873–'74	306,536	.....	.....	1,520,024	37.30	1,581,560
Total season 1872–'73	31,571	.....	.....	1,425,079	37.44	1,456,650
Total season 1871–'72	10,450	.....	.....	1,218,868	44.02	1,229,208
Total season 1870–'71	48,917	.....	.....	869,170	43.73	918,087
					37.94	

Pork packing in Chicago during the year ending March 1, 1881—Continued.

Packers.	PRODUCT MANUFACTURED—WINTER SEASON.															
	Lard.	Pork, barrels made.									Hams made.					
	Tierces made.	Clear.	Mess.	M. O.	Family and back.	Prime mess.	Extra prime.	Butt and shoulder.	Rump	Total pork.	Sweet pickled.	Green.	Dry salted.	Long cut.	Staffordshire.	Other cuts.
											Tierces.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Agar & Marshall	835										500					
Allerton Packing Company	9,879		10,878				1,488			12,366	5,600	266,200		46,534	26,702	246,400
Anglo-American Packing and Provision Company	37,928		1,905		2,946	2,844		302		7,997	19,860		16,684	6,618,839		1,155,814
Armour & Co	64,792	1,154	49,838		3,158	4,549	1,610			60,309	51,350	689,425	51,600			
Arnold Brothers	1,200										325					
Baldwin, George D., & Co	5,000	225	3,750			59	1,085			5,119	2,800	531,782				
Botsford, H., & Co	17,722	385	18,915			290	2,522			22,112	8,564	1,590,268		26,135		279,953
Bush, W. H	486				240					240	400					
Carpenter, W. O. & Son	700		1,990		115					2,105	71	127,313				
Chicago Packing & Provision Company	50,827		55,446		36	1,332				56,814	8,585	8,812,989	101,442			
Cudahy John	9,238	300	12,382			6,249				18,931	1,241	1,731,396	241,677	74,014		
Dahmke & Fischer	432											94,200				
Davies, Atkinson & Co	10,885												156,359	2,295,216	334,752	1,339,109
Delaney, James J	810										300					
Doud, L. B. & Co	11,702		6,500			250	158			6,908	900	1,110,000		1,109,000	80,000	75,000
Dupee, Cyrus & Co	2,193		670				78			748	1,474	87,542				
Hately, John Craig	4,514					217				217	322		43,439	1,417,790	123,719	
Heeney & Sons	783													194,259	65,537	
Higgins, George W., & Co	20,742		28,678		15	836				29,529	4,548	3,250,000	176,000			338,700
Jones & Stiles	5,154				762	50				812	344	395,000	50,000	1,252,700		
Latcham, Dawson & Miller																
Meyer, E., & Co	500										280					
Moran & Healy	3,445										141	125,098		1,214,543	55,410	6,812
Murphey, B. F., Packing Company	15,887		27,191							27,191	1,055	3,210,466				
Palm & Schuler	725										120			257,452		
Ricker Packing Company	7,138		6,478				82			6,560	4,880	230,000	54,000			
Silberhorn, W. H	4,411				293	340				633	1,448	703,000	130,100	833,845		
Small, William	46,21													2,130,800		
Teufel & Seiter																
Teufel, Son & Co	3,425										320			613,832	259,532	
Tobey & Booth	10,640												537,275	2,651,756	1,659,792	64,524

Underwood & Co	2,260	.....	76	.....	430	1,200	.....	.....	.....	1,706	550	302,000	.....	23,000	.....	.....
Small houses	8,008	25	328	20	20	300	.....	.....	.....	673	2,183	510,924	.....	63,000	.....	.....
Total	316,882	2,089	225,025	.....	8,015	18,516	7,023	302	.....	260,970	118,161	23,767,603	1,558,576	20,822,715	2 605,444	3,506,312
Total season 1879–'80	304,079	187	313,620	.....	6,816	4,492	6,719	1,392	.....	333,226	108,636	25,983,488	2,799,420	16,897,857	1,710,742	2,534,856
Total season 1878–'79	395,659	972	219,802	1,863	8,807	8,579	2,299	.....	.....	242,232	108,327	19,858,661	3,263,268	11,691,539	2,429,386	24,292,534
Total season 1887–'78	295,260	987	324,583	.....	3,375	4,452	4,506	528	.....	338,431	90,270	34,533,454	1,383,220	12,478,043	1,871,207	.....
Total season 1876–'77	172,869	1,903	234,056	71	3,774	24,129	22,082	4,457	21	290,693	32,404	25,088,124	.....	17,593,061	1,660,103	.....
Total season 1875–'76	174,572	3,535	200,821	859	9,537	15,195	6,167	316	.....	236,430	29,107	23,715,834	.....	17,932,532	1,830,346	.....
Total season 1874, '75	197,038	4,286	216,515	1,337	13,703	16,028	9,749	.....	57	262,675	49,084	23,364,922	.....	12,650,879	1,853,927	.....
Total season 1873–'74	177,877	1,840	170,307	1,054	2,852	14,544	4,514	.....	806	195,917	36,554	27,299,458	.....	8,972,048	1,052,977	.....
Total season 1872–'73	196,054	2,873	88,385	780	.....	8,726	1,796	.....	426	102,986	40,726	28,272,469	.....	5,263,989	.....	.....
Total season 1871–'72	168,983	425	126,059	1,671	.....	19,933	3,048	.....	876	152,012	25,478	27,702,599	.....	2,161,488	.....	.....
Total season 1870–,71	168,835	1,258	98,731	1,819	.....	40,837	3,593	.....	1,912	148,150	31,350	18,542,779	.....	123,900	.....	.....

Pork packing in Chicago during the year ending March 1, 1881—Continued.

Packers.	PRODUCT MANUFACTURED—WINTER SEASON.									
	Shoulders made.		Sides, pounds made.							
	Sweet pickled.	Green and dry salted.	Rough.	Cumberland.	Short rib.	Long rib.	Short Clear.	Long Clear.	South Staffordshire.	Stretford.
	Tierces.	*Pounds.*								
Agar & Marshall	440				125,000					
Allerton Packing Company		1,836,663		6,521	1,875,410	1,394	1,950,759	1,806,161		
Anglo-American Packing and Provision Company	3,155	4,746,743			3,505,684		3,536,478	3,787,108		
Armour & Co	5,637	7,478,216			14,696,446		13,815,949	16,566,773		
Arnold Brothers	100									
Baldwin, George D., & Co	184	725,544			1,831,674		635,311	658,027		
Botsford, H., & Co	313	2,274,768			3,112,501		2,719,274	3,514,607		
Bush, W. H	320				190,000		40,000			
Carpenter, W. O., & Son		146,610			151,391					
Chicago Packing and Provision Company	2,586	7,518,000			19,039,000		4,228,000	8,278,000		
Cudahy, John	309	740,529	25,000	2,740	2,244,532		1,133,918	1,694,689		
Dahmke & Fischer		77,950			36,500		175,000			
Davies, Atkinson & Co		638,420		1,708,525	115,602	106,510	359,487		174,490	179,153
Delaney, James J	280									
Doud, L. B., Co		2,000,000		545,400	1,371,100	72,000	858,000	1,046,405		140,000
Dupee, Cyrus, & Co		376,679			586,034		546,456	523,045		
Hately, John Craig		767,953		1,383,507	737,951	6,234		134,440	190,750	28,110
Heeney & Sons				112,757		76,382		45,166		55,368
Higgins, George W., & Co	516	3,228,414			3,706,200		4,499,500	3,240,300		
Jones & Stiles	800	202,600		1,261,700	408,300	435,600	280,800	2,701,900	227,800	
Meyer, E., & Co	260				25,000					
Moran & Healey		230,270		1,174,653	193,734	32,557	165,842	562,922	59,827	4,522
Murphey, B. F., Packing Company		2,521,798			3,061,666		1,605,383	2,768,195		
Palm & Schuler		29,479		142,062	6,649	46,452	61,908	193,242	108,645	52,682
Ricker Packing Company	338	1,015,517			1,925,120	7,212	740,650	1,853,569		
Silberhorn, W. H	446	117,647		685,846	284,862	458,426	459,872	1,453,484	119,876	
Small, William		474,000		2,462,300	743,700					186,000
Teufel, Son & Co		182,664		514,315	179,333	146,620	187,651	942,630	297,790	
Tobey & Booth		188,271		1,312,569	242,956		1,728	798,477	5,047,425	
Underwood & Co	450	250,000		24,000	47,000	7,000				
Small houses	1,586	397,300		36,000	199,500	15,740	108,000	10,000	8,000	
Total	17,720	38,166,035	25,000	11,372,895	60,642,845	1,412,127	38,109,966	52,579,140	6,234,603	645,835

Total season 1879–'80	15,171	43,962,220	52,500	6,772,144	87,512,180	860,666	27,281,460	39,751,783	7,587,763	1,162,714
Total season 1878–'79	9,538	50,436,332	294,634	5,633,091	65,355,578	938,601	50,924,356	60,574,293	9,966,843	1,898,225
Total season 1877–'78	9,172	34,449,280	330,000	4,946,312	49,173,464	851,826	43,256,803	64,159,504	8,458,727	2,481,551
Total season 1876–'77	4,649	17,924,082	157,800	11,921,540	27,042,092	881,770	22,512,665	32,250,203	6,540,864	2,749,295
Total season 1875–'76	2,252	25,637,105	539,410	9,678,047	36,749,334	2,005,722	16,089,655	33,465,864	7,483,783	3,151,328
Total season 1874–'75	3,225	31,344,345	367,457	7,784,284	32,034,524	1,429,872	24,288,051	25,539,746	8,589,264	3,795,988
Total season 1873–'74	3,381	33,961,424	598,110	8,411,539	34,553,010	1,871,561	25,234,501	22,327,558	3,381,369	2,751,788
Total season 1872–'73	1,645	35,348,191	731,019	4,639,512	26,251,028	310,048	52,260,549	27,442,320	2,042,397	2,383,039
Total season 1871–'72	797	31,827,752	1,730,603	6,235,424	31,700,039	.....	24,923,980	18,302,005	412,420	1,209,025
Total season 1870–'71	.....	21,988,859	4,115,872	5,218,351	30,062,824	.....	12,392,937	6,808,832	.....	343,600

Pork packing in Chicago during the year ending March 1, 1881—Continued.

Packers.	PRODUCT MANUFACTURED—WINTER SEASON.										
	Sides, pounds made.								Hocks, barrels made.	Pig tongues, barrels made.	Grease, packages made.
	Irish cut.	Yorkshire.	Birmingham.	Wiltshire.	Other cuts.	Singed bacon.	Bellies.	Backs.			
Agar & Marshall							65,000				
Allerton Packing Company							4,682	9,641			106
Anglo-American Packing and Provision Company					22,458,937				582	2,032	1,794
Armour & Co					764,400		1,423,943	1,123,992	139		2,674
Arnold Brothers							78,000				60
Baldwin, George D., & Co							950				25
Botsford, H., & Co					70,544		404,824	776,006			112
Bush, W. H							40,000				
Carpenter, W. O., & Son							42,359				
Chicago Packing and Provision Company							30,695		274		409
Cudahy, John					199,428		42,084	57,635	114		171
Dahmke & Fischer							30,250				
Davies, Atkinson & Co	36,822	1,755,630	3,263,455			2,310,257	418,201	408,927		734	793
Delaney, James J							70,000		50	8	10
Doud, L. B., & Co		53,200	57,000	506,000		640,000	336,000	416,000	100		100
Dupee, Cyrus, & Co									76	81	16
Hately, John Craig		178,327					126,727	170,982			
Heeney & Sons	26,444		245,649	655,771						53	17
Higgins, George W., & Co							40,000	115,000	18		105
Jones & Stiles				642,900	143,800		141,500				86
Meyer, E., & Co							60,000				
Moran & Healy	22,196		642,646	1,559	26,909		98,821	143,150			63
Murphey, B. F., Packing Company									80		63
Palm & Schuler							2,837	4,713			15
Ricker Packing Company					60,969		16,038	24,996	117		227
Silberhorn, W. H	3,602	15,603		602,308	436,363		38,500				32
Small, William		96,000	595,300				81,250	119,550			
Tuefel, Son & Co	8,083	46,583		291,844		1,015,337					30
Tobey & Booth		81,834	521,760		2,550,909		52,547	32,685			875
Underwood & Co							360,000	370,000		125	100
Small houses	7,500						751,325		60		112
Total	104,647	2,227,177	5,325,810	2,700,382	26,712,259	3,965,594	4,756,533	3,373,277	1,610	3,033	7,995

Total season 1879–'80	1,015,548	1,349,771	1,073,855	2,428,451	20,978,427	2,714,867	4,373,233	1,974,643	1,253	2,243	9,975
Total season 1878–'79	813,492	727,470	460,000	911,692	37,503,464	1,155,125	5,106,677	7,120,598	1,915	7,091	9,683
Total season 1877–'78	530,084	1,383,801	411,485	1,069,897	22,600,834	2,006,000	2,436,681	2,474,926	2,578	1,998	3,638
Total season 1876–'77	1,203,218	1,191,251	701,312	837,289	5,038,701	23,000	2,830,476	1,018,365	2,394	3,556	2,610
Total season 1875–'76	1,420,571	2,730,240	1,706,759	1,722,890	.....	2,143,000	1,783,487	363,229	1,977	5,778	2,803
Total season 1874–'75	1,175,671	1,618,010	1,454,400	1,300,567	.....	100,000	2,166,465	443,105	2,204	5,833	3,410
Total season 1873–'74	1,719,347	738,480	296,194	439,829	.....	74,000	1,682,741	423,269	531	5,080	4,791
Total season 1872–'73	.....	.....	.....	225,000	.....	.....	1,426,606	.....	.....	.....	5,272
Total season 1871–'72	.....	.....	.....	.....	.....	608,191	804,245	.....	.....	.....	3,946
Total season 1870–'71	.....	.....	.....	48,377	.....	.....	.....	.....	.....	.....	.....

No. 4.

House Ex. Doc. No. 209, Forty-seventh Congress, first session.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, IN RESPONSE TO A RESOLUTION OF THE HOUSE OF REPRESENTATIVES, TRANSMITTING A COMMUNICATION FROM THE SECRETARY OF STATE RELATIVE TO THE RESTRICTIONS IMPOSED BY THE FRENCH GOVERNMENT UPON PORK EXPORTED FROM THE UNITED STATES.

MAY 27, 1882.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 10th of April, ultimo, calling upon the Secretary of State for information in regard to the restrictions imposed by the French Government upon pork exported from the United States, I transmit herewith a report of that officer and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 26, 1882.

DEPARTMENT OF STATE,
Washington, May 26, 1882.

The Secretary of State had the honor to receive on the 11th ultimo the resolution of the House of Representatives of the 10th April, in the following words:

Whereas our export trade with France in fresh and salt pork has been partially destroyed by rules and regulations prescribed and enforced by the French Government to prevent the introduction into France of pork infected with trichina;

And whereas the danger apprehended from the introduction of pork imported from the United States into France, as an article of food, if it exists at all, is very greatly exaggerated, and does not call for such prohibitory restrictions upon the trade as are now enforced by the Government of France;

And whereas it is thought that such modification of said rules, regulations, and restrictions may be had as will encourage and protect our export trade in said articles of food, and will, at the same time, be mutually advantageous to the people of both countries: Therefore,

Be it resolved, That the Secretary of State be, and he is hereby, requested to inform the House touching the present condition of our export trade with France in fresh and salt meats; what hinderances, if any, to the healthful growth and prosperity of said trade exists; and what steps, if any, have been taken to modify or remove them.

That he report also to this House what, in his judgment, if any, additional legislation is needful to build up and adequately protect said export trade.

Attest:

EWD. MCPHERSON, *Clerk.*

In reply to this resolution the Secretary of State has the honor to lay before the President the papers named in the subjoined list, embracing the full correspondence between the Department of State and the diplomatic and consular officers in France on the subject in question, together with a selection of miscellaneous correspondence showing the effect directly or indirectly caused by the action of the French Government upon other European States, and the efforts of this Department to obtain relief for our exporters.

The Secretary of State does not desire at present to suggest any new regulations in regard to the inspection of pork before shipment, but it may appear in the discretion of Congress that such modification of existing rules might he effected by legislation as will substantially assure the French Government that none but healthy meats will be exported from the United States. From a consideration of the papers presented it is thought that Congress will be enabled to itself judge of the proper course to be pursued.

Respectfully submitted.

FRED'K T. FRELINGHUYSEN.

The PRESIDENT.

LIST OF ACCOMPANYING PAPERS.

A.—FRANCE.

No. 1.—Mr. Walker to Mr. Hay, No. 41, August 30, 1880.
No. 2.—Mr. Evarts to Mr. Noyes, February 19, 1881. (Telegram.)
No. 3.—Mr. Bridgland to Mr. Hay, February 19, 1881. (Telegram.)
No. 4.—Mr. Noyes to Mr. Evarts, February 20, 1881. (Telegram.)
No. 5.—Mr. Noyes to Mr. Evarts, February 21, 1881. (Telegram.)
No. 6.—Mr. Hooper to Mr. Hay, No. 87, February 21, 1881.
Inclosures: Report of minister of agriculture and commerce, and decree of the President of France prohibiting importation of American pork.
No. 7.—Mr. Walker to Mr. Hay, No. 90, February 22, 1881.
Inclosures: 1. Table showing importation of American pork into France for 1878, 1879, and 1880. 2. Mr. Gould to Mr. Walker, February 22, 1881. 3. Mr. Gerrish to Mr. Walker, February 24, 1881.
No. 8.—Mr. Noyes to Mr. Evarts, February 23, 1881. (Telegram.)
No. 9.—Mr. Walker to Mr. Evarts, February 23, 1881. (Telegram.)
No. 10.—Mr. Noyes to Mr. Evarts, No. 439. February 26, 1881.
Inclosures: 1. Mr. Noyes to Mr. St. Hilaire, February 20, 1881. 2. Same to same, February 22, 1881.
No. 11.—Mr. Evarts to Mr. Noyes, March 7, 1881. (Telegram.)
No. 12.—Mr. Gerrish to Mr. Hay, No. 114, March 9, 1881.
Inclosures: 1. Report on the prohibitory decree. 2. Communication from chamber of commerce at Bordeaux to minister of agriculture and commerce, asking that prohibitory decree be repealed.
No. 13.—Mr. Blaine to Mr. Noyes, No. 342, March 15, 1881.
No. 14.—Mr. Blaine to Mr. Noyes, March 16, 1881. (Telegram.)
No. 15.—Mr. Blaine to Mr. Noyes, March 16, 1881. (Telegram.)
No. 16.—Mr. Blaine to Mr. Noyes, March 17, 1881. (Telegram.)
No. 17.—Mr. Noyes to Mr. Blaine, March 18, 1881. (Telegram.)
No. 18.—Mr. Noyes to Mr. Blaine, No. 449, March 24, 1881.
No. 19.—Mr. Noyes to Mr. Blaine, No. 462, April 8, 1881.
No. 20.—Mr. Blaine to Mr. Ncyes, No. 363, April 23, 1881.
Inclosure: Messrs. S. Davis, jr., & Co. to Mr. Blaine.
No. 21.—Mr. Blaine to Mr. Noyes, No. 365, April 28, 1881.
No. 22.—Mr. Blaine to Mr. Noyes, No. 368, May 4, 1881.
Inclosure: Messrs. Huchberger & Co. to Mr. Blaine.
No. 23.—Mr. Blaine to Mr. Noyes, No. 369, May 13, 1881.
No. 24.—Mr. Blaine to Mr. Noyes, May 23, 1881. (Telegram.)
No. 25.—Mr. Blaine to Mr. Noyes, No. 371, May 26, 1881.
Inclosure: Messrs. Armour & Co. to Mr. Blaine.
No. 26.—Mr. Noyes to Mr. Blaine, No. 475, May 27, 1881.
Inclosure: Remarks made in Chamber of Deputies at the interpellation of the minister of agriculture and commerce.

No. 27.—Mr. Ciceron to Mr. Blaine, No. 62, May 27, 1881.
Inclosure: Newspaper extract.
No. 28.—Mr. Blaine to Mr. Noyes, No. 379, June 8, 1881.
No. 29.—Mr. Blaine to Mr. Noyes, No. 380, June 8, 1881.
No. 30.—Mr. Bridgland to Mr. Hitt, No. 245, June 14, 1881.
No. 31.—Mr. Langlois to Mr. Hay, June 15, 1881.
Inclosure: Decree of the governor of Reunion Island prohibiting importation of American pork.
No. 32.—Mr. Blaine to Mr. Noyes, No. 384, June 17, 1881.
No. 33.—Mr. Noyes to Mr. Blaine, No. 483, June 23, 1881.
Inclosure: Mr. Noyes to Mr. St. Hilaire, June 22, 1881.
No. 34.—Mr. Pomeroy to Mr. Blaine, No. 495, July 23, 1881.
Inclosure: Mr. St. Hilaire to Mr. Pomeroy.
No. 35.—Mr. Blaine to Mr. Morton, No. 12, August 9, 1881.
No. 36.—Mr. Blaine to Mr. Morton, No. 19, August 18, 1881.
No. 37.—Mr. Morton to Mr. Blaine, No. 48, October 6, 1881.
No. 38.—Mr. Morton to Mr. Blaine, No. 54, October 13, 1881.
No. 39.—Mr. Blaine to Mr. Morton, No. 48, November 2, 1881.
No. 40.—Mr. Morton to Mr. Blaine, No. 69, November 7, 1881.
Inclosure: Mr. St. Hilaire to Mr. Morton, November 3, 1881.
No. 41.—Mr. Morton to Mr. Blaine, No. 73, November 16, 1881.
Inclosure: Draft of a bill presented in Chamber of Deputies, prescribing microscopic inspection of American pork.
No. 42.—Mr. Blaine to Mr. Morton, November 21, 1881. (Telegram.)
No. 43.—Mr. Morton to Mr. Blaine, November 23, 1881. (Telegram.)
No. 44.—Mr. Morton to Mr. Blaine, November 25, 1881. (Telegram.)
No. 45.—Mr. Blaine to Mr. Outrey, November 25, 1881.
No. 46.—Mr. Blaine to Mr. Morton, December 2, 1881. (Telegram.)
No, 47.—Mr. Morton to Mr. Blaine, December, 3, 1881. (Telegram.)
No. 48.—Mr. Morton to Mr. Blaine, December 4, 1881. (Telegram.)
No. 49.—Mr. Gifford to Mr. Hitt, No. 57, December 9, 1881.
Inclosure: Letter of Chamber of Commerce at Nantes to minister of commerce asking continuance of prohibitory decree, December 3, 1881.
No. 50.—Mr. Morton to Mr. Frelinghuysen, January 17, 1882. (Telegram.)
No. 51.—Mr. Morton to Mr. Frelinghuysen, No. 107, January 20, 1882.
Inclosure: Bill on importation of American pork
No. 52.—Mr. Rhodes to Mr. Davis, No. 16, February 2, 1882.

B.—Miscellaneous.

AUSTRIA.

No. 63.—Mr. Evarts to Mr. Kasson, February 24, 1881. (Telegram.)
No. 64.—Mr. Kasson to Mr. Evarts, No. 434, March 12, 1881, containing letter of Mr. Kasson to Baron Haymerle, March 8, 1881.
No. 65.—Mr. Weaver to Mr. Hay, No. 119, March 16, 1881.
Inclosure: Article from Buda-Pesth newspaper.
No. 66.—Mr. Kasson to Mr. Blaine, No. 438, March 19, 1881.
Inclosures: 1. Ordinance prohibiting importation of American pork products. 2 Mr. Kasson to Baron Haymere.
No. 67.—Mr. Sterne to Mr. Hay, No. 12, March 24, 1881.
No. 68.—Mr. Weaver to Mr. Hay, No. 122, March 26, 1881.
Inclosure: Tabular statement showing importation and exportation of hog products in Austria-Hungary during 1876–'80.
No. 69.—Mr. Delaplaine to Mr. Blaine, No. 453, April 1, 1881.
Inclosure: Under Secretary Foreign Affairs to Mr. Delaplaine.
No. 70.—Mr. Blaine to Mr. Phelps. No. 2, June 9, 1881.
No. 71.—Mr. Phelps to Mr. Blaine, No. 6, July 2, 1881.
Inclosure: Mr. Phelps to Minister of Foreign Affairs, July 2, 1881.
No. 72.—Mr. Blaine to Mr. Phelps, No. 8, July 27, 1881.
No. 73.—Mr. Sterne to Mr. Hitt, No. 24, October 19, 1881.
Inclosures: Extracts from Pester Lloyd (newspaper) October 13 and 18, 1881.

BELGIUM.

No. 74.—Mr. Steuart to Mr. Hay, No. 58, February 24, 1881.
No. 75.—Mr. Putnam to Mr. Evarts, No. 54, February 25, 1881.
No. 76.—Mr. Putnam to Mr. Blaine, No. 59, March 9, 1881.
No. 77.—Mr. Blaine to Mr. Putnam, No. 37,, March 11, 1881.

No. 78.—Mr. Putnam to Mr. Blaine, No. 67, April 30, 1881.
No. 79.—Mr. Steuart to Mr. Hitt, No. 66, May 6, 1881.
Inclosures: 1. Circular from minister of interior to governors of provinces of Belgium concerning trichinæ, April 28, 1881. 2. Report of superior council of public health on trichinæ.
No. 80.—Mr. Wilson to Mr. Hitt, No. 142, May 23, 1881.
No. 81.—Mr. Blaine to Mr. Putnam, No. 45, May 26, 1881.
No. 82.—Mr. Wilson to Mr. Hitt, No. 143, June 14, 1881.
Inclosure: Report on trichinæ and trichinosis.

GERMANY.

No. 83.—Mr. White to Mr. Evarts, No. 136, June 29, 1880.
Inclosure: Decree prohibiting importation of American prepared pork into Germany.
No. 84.—Mr. Schoenle to Mr. Hay, No. 33, September 30, 1880.
Inclosure: Report on importation of live hogs into Germany.
No. 85.—Mr. Smith to Mr. Hay, No. 122, January 20, 1881.
No. 86.—Mr. Griggs to Mr. Hay, No. 95, January 24, 1881.
Inclosure: Report on importation of American pork into Germany.
No. 87.—Mr. Wilson to Mr. Hay, No. 12, February 11, 1881.
Inclosure: Newspaper article from the Hamburg Fremdenblatt of February 11, 1881.
No. 88.—Mr. Smith to Mr. Hay, No. 125, February 14, 1881, containing newspaper extracts.
No. 89.—Mr. Stanton to Mr. Hay, No. 199, February 25, 1881.
Inclosure: Extract from the London Times of February 19, 1881.
No. 90.—Mr. Potter to Mr. Hay, No. 27, February 26, 1881.
No. 91.—Mr. Grinnell to the Assistant Secretary of State, No. 55, March 24, 1881.
No. 92.—Mr. Lee to Mr. Hay, No. 271, March 31, 1881.
No. 93.—Mr. Potter to Mr. Hay, No. 30, April 5, 1881.
Inclosures: 1. Report on trichinæ in American pork. 2. Messrs. Isenbart & Co. to Mr. Potter, 3. Messrs. Brand & Co. to Mr. Potter.
No. 94.—Mr. Kreismann to the Assistant Secretary of State, No. 552, April 28, 1881.
No. 95.—Mr. Fox to Mr. Hay, No. 144, June 7, 1881.
Inclosure: Translations of a German advertisement.
No. 96.—Mr. Canisius to Mr. Hunter, No. 8, June 11, 1881.
No. 97.—Mr. Fox to Mr. Hay, No. 146, June 13, 1881.
Inclosure: Extract from the Braunschweiger Tageblatt of June 12, 1881.
No. 98.—Mr. Fox to Mr. Hay, No. 147, June 17, 1881.
Inclosure: Extract from the Braunschweiger Tageblatt of June 15, 1881.
No. 99.—Mr. Canisius to Mr. Hunter, No. 12, July 12, 1881.
No. 100.—Mr. Schoenle to Mr. Hitt, No. 14, November 24, 1881.
Inclosure: Report on American canned meats, and the German tariff.
No. 101.—Mr. Frelinghuysen to Mr. Everett, No. 298, January 26, 1882.
No. 102.—Mr. Frelinghuysen to Mr. Everett, No 301, February 8, 1882.
Inclosure: Messrs. Archdeacon & Co. to Mr. Frelinghuysen, February 5, 1882.
No. 103.—Mr. Everett to Mr. Frelinghuysen, No. 295, February 11, 1882.
Inclosure: Translation of ministerial decree.
No. 104.—Mr. Everett to Mr. Frelinghuysen, No. 298, February 23, 1882.
No. 105.—Mr. Everett to Mr. Frelinghuysen, No. 308, March 27, 1882.
Inclosure: Mr. Everett to Count Hatzfelt, February 25, 1882.
No. 106.—Mr. Schoenle to Mr. Frelinghuysen, No. 21, March 30, 1882.
Inclosure: Report on tariff discrimination in Germany against American hams.

GREAT BRITAIN.

No. 107.—Mr. Livermore to Mr. Hay, No. 87, October 23, 1880.
No. 108.—Mr. Evarts to Sir Edward Thornton, March 7, 1881.
No. 109.—Sir Edward Thornton to Mr. Evarts, March 7, 1881.
Inclosure: Extract from Mr. Crump's report on swine disease, December 21, 1880.
No. 110.—Mr. Lowell to Mr. Evarts, No. 139, March 9, 1881.
No. 111.—Mr. Blaine to Sir Edward Thornton, March 9, 1881.
Inclosures: 1. Resolution of the Saint Louis Merchants' Exchange. 2. Resolutions of the Cincinnati Chamber of Commerce.
No. 112.—Mr. Smith to Mr. Hay, No. 87, March 9, 1881.
Inclosure: Article on "Pork poisoning," from the British Medical Journal.

No. 113.—Sir Edward Thornton to Mr. Blaine, March 10, 1881.
Inclosure: Mr. Chipperton to Sir Edward Thornton, March 9, 1881.
No. 114.—Mr. Canisius to Mr. Hay, No. 61, March 14, 1881.
No. 115.—Mr. Blaine to Mr. Lowell, March 16, 1881. (Telegram.)
No. 116.—Mr. Blaine to Mr. Lowell, No. 130, March 17, 1881.
No. 117.—Mr. Jones to Mr. Hay, No. 283, March 18, 1881.
No. 118.—Sir Edward Thornton to Mr. Blaine, March 21, 1881.
No. 119.—Mr. Lowell to Mr. Blaine, No. 163, April 13, 1881.
Inclosures: 1. Lord Granville to Mr. Lowell, April 8, 1881. 2. Memorandum showing death-rate of hogs in Illinois.
No. 120.—Mr. Blaine to Mr. Lowell, No. 180, June 10, 1881.

NETHERLANDS.

No. 121.—Mr. Eckstein to Mr. Hay, No. 140, March 21, 1881.
No. 122.—Mr. Eckstein to Mr. Hitt, No. 163, September 6, 1881.
Inclosure: Memorial of Messrs. Dievelaar & Co. to the common council of Amsterdam.
No. 123.—Mr. Eckstein to Mr. Hitt, No. 167, September 24, 1881.
Inclosure: Memorials of merchants of Amsterdam to the common council.
No. 124.—Mr. Eckstein to Mr. Hitt, No. 170, October 4, 1881.
Inclosure: Report of the burgomaster and magistrates of Amsterdam to the common council, September 21, 1881.

ITALY.

No. 125.—Mr. Marsh to Mr. Evarts, No. 941, March 14, 1881.
Inclosures: 1. Mr. Hazelton to Mr. Marsh, February 5, 1881. 2. Granet, Brown & Co. to Mr. Marsh, February 3, 1881. 3. Mr. Marsh to Señor Cairoli, February 21, 1881. 4. The minister of foreign affairs to Mr. Marsh, February 28, 1881.
No. 126.—Mr. Blaine to Mr. Marsh, No. 778, June 10, 1881.

SWITZERLAND.

No. 127.—Mr. Mason to Mr. Hay, No. 27, February 26, 1881.
Inclosure: Extract of official report of the Belgian Chambers, from the Basler Nachtrichten of February 26, 1881.
No. 128.—Mr. Mason to Mr. Hay, No. 28, March 2, 1881.
Inclosure: Extracts from the Basler Nachtrichten newspaper.
No. 129.—Mr. De Zeyk to Mr. Hay, No. 69, March 17, 1881.
Inclosure: Mr. De Zeyk to Mr. Fish, March 14, 1881.
No. 130.—Mr. Mason to Mr. Hay, No. 35, April 19, 1881.
No. 131.—Mr. De Zeyk to Mr. Hay, No. 78, April 22, 1881.
No. 132.—Mr. Mason to Mr. Hay, No. 38, April 29, 1881.
Inclosures: 1. Official protest of syndicate of commerce of city of Bordeaux against prohibitory decree of French Government. 2. Extract from the Journal de Genève.
No. 133.—Mr. Mason to Mr. Hunter, No. 42, June 13, 1881.
Inclosure: Circular of the Swiss Federal Council to the cantonal governments, June 3, 1881, on the subject of pork.
No. 134.—Mr. Blaine to Mr. Fish, No. 217, June 21, 1881.
No. 135.—Mr. Mason to Mr. Hitt, No. 43, June 22, 1881.
Inclosure: Report on American canned meats in Europe.
No. 136.—Mr. Byers to Mr. Hitt, No. 259, June 25, 1881.

TURKEY.

No. 137.—Mr. Duncan to Mr. Payson, No. 47, May 14, 1881.
No. 138.—Mr. Blaine to Mr. Heap, No. 33, May 27, 1881.
No. 139.—Mr. Blaine to Mr. Heap, No. 40, June 16, 1881.
No. 140.—Mr. Heap to Mr. Blaine, No. 34, July 16, 1881.

VENEZUELA.

No. 141.—Mr. Plumacher to Mr. Hunter, No. 94, June 19, 1881.
Inclosure: Extract from the Ecar del Zulia (newspaper) of Maracaibo, June 18, 1881.

DOMESTIC.

No. 142.—Messrs. Armour & Co. to Mr. Logan,* December 15, 1881.
No. 143.—Messrs. Armour & Co. to Mr. Logan,* December 21, 1881.
(Inclosure:) Messrs. Gabain Freres to Messrs. Armour & Co., December 7, 1881.
No. 144.—Pamphlet on American pork, prepared under authority of the Department of State.

FRANCE.

No. 1.

Mr. Walker to Mr. Hay.

No. 41.] UNITED STATES CONSULATE-GENERAL,
Paris, France, August 30, 1880. (Received September 16.)

SIR: Through the public prints my attention has been called to the fact that the police authorities of Paris are, at the present time, prosecuting a thorough and effective crusade against dealers in articles of food deleterious to health. I have noticed among the articles scheduled as dangerous comestibles and liable to seizure certain American hams, which came under this classification by reason of their being packed in yellow sack-cloth impregnated with chlorate of lead, a method of curing which, while it may serve to preserve the meat from exterior deteriorating influences, is considered by the health authorities as very dangerous.

The trade at Paris in American bacon, hams, preserved meats, vegetables, and fruits has already attained considerable proportions, and has still a large, unoccupied, and promising field for future development; and it behooves our exporters to guard with sedulous care against attempts to place bad wares in a good market. The sanitary police system at Paris and throughout France is so thorough and effective that any enterprise of this character must be fruitless and suicidal.

I therefore most respectfully suggest that the Department take measures to have these facts brought to public notice in the United States.

I am, &c.,

GEORGE WALKER,
Consul-General.

No. 2.

Mr. Evarts to Mr. Noyes.

[Telegram.]

WASHINGTON, *February* 19, 1881.

NOYES, *Minister, Paris:*

If decree has issued prohibiting importation of American meats, present regret of this Government, and protest firmly if it seems appropriate to do so.

EVARTS, *Secretary.*

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* Referred to the Assistant Secretary of State by Senator Logan.

No. 3.

Mr. Bridgland to Mr. Hay.

[Telegram.]

HAVRE, *February* 19, 1881.

Hon. ASSISTANT SECRETARY OF STATE,
Washington, D. C.:

French Journal Officiel this date publishes decree forbidding at all ports of entry in France the importation of salt pork from the United States, which has caused consternation among dealers in American produce here.

BRIDGLAND, *Consul.*

No. 4.

Mr. Noyes to Mr. Evarts.

[Telegram.]

PARIS, *February* 20, 1881.

EVARTS, *Secretary, Washington:*

Have to-day sent dispatch to minister of foreign affairs expressing profound regrets of my Government that the Government of France has seen fit to promulgate a decree forbidding importation of American pork.

Have called attention to the fact that this decree is far reaching, and the most detrimental to the commercial interests of my country, and have asked for a revocation of the order. Requested statement of circumstances which induced this extreme measure, and requested personal interview to-morrow. Will protest more firmly if facts and attitude of French Government seem to warrant. Decree professedly based on inspection of meat, and recommendation of board of health.

NOYES.

No. 5.

Mr. Noyes to Mr. Evarts.

[Telegram.]

PARIS, *February* 21, 1881.

EVARTS, *Secretary, Washington:*

Short interview with minister for foreign affairs to-day. Have another to-morrow. Nothing decisive. Minister says decree was issued under pressure of a public opinion. Shall insist firmly upon revocation.

NOYES.

No. 6.

Mr. Hooper to Mr. Hay.

No. 87.] UNITED STATES CONSULATE-GENERAL,
Paris, France, February 21, 1881. (Received March 5.)

SIR: I have the honor to forward you copies of the circular addressed by the minister of agriculture and commerce to the prefets, under date of February 14, 1881, and the report of the same minister to the President of the Republic, and the decrees based thereon, together with the translations of the same.

This report and the decrees forbid the further importation of American pork, owing to the dangers to the public health from the presence of trichinæ.

I am, etc.,

ROBERT M. HOOPER,
Vice-Consul-General.

[Inclosure 1 in No. 87—Translation from the Journal Officiel of February 15, 1881.]

The minister of agriculture and of commerce has addressed the following circular to all the prefets:

PARIS, *February* 14, 1881.

MONSIEUR LE PREFET: I have been informed that trichina has been found in certain salt pork which has been imported from abroad.

The administration has for some time been occupied with this question, and in regard to certain cases of injurious importations which have been called to its attention it has indicated the culinary precautions which are necessary in order to avoid the danger which is run in the consumption of salt pork infested with trichinæ.

With a view to protecting the public health in a more efficient manner, without prohibiting, absolutely, the importation of an important element of food, to which the people have now become accustomed, the Government is studying the organization of a special inspection, which will be established on both our sea and land frontiers, so that only such meats as are known to be healthy will be allowed to enter France.

But outside of these administrative precautions it is necessary that the consumers take measures to protect themselves against the dangers of trichinosis; it is decided, therefore, to remind them that the best precaution against this danger is a thorough cooking of the pork. It is acknowledged that meat infested with trichinæ presents no danger after it has been submitted to a temperature of 100° centigrade.*

I pray you to call these facts to the attention of your constituents by all the means of publicity at your disposal, and especially by posters.

I shall be obliged if you will keep me informed, without delay, of the measures which you have taken in order to insure the execution of the foregoing instructions, the importance of which will not escape you.

Accept, Monsieur le Prefect, the assurance of my high consideration.

P. TIRARD,
Minister of Agriculture and Commerce.

[Inclosure 2 in No. 87.—Translation from the Journal Officiel of February 18, 1881.]

REPORT TO THE PRESIDENT OF THE FRENCH REPUBLIC.

MONSIEUR LE PRESIDENT: My attention has recently been called to the introduction into France of a considerable quantity of salt pork imported from America. These meats are infested with trichinæ, and may place the public health in great danger.

The committee on public hygiene of France, whom I have consulted upon the question, has been unanimous in the decision that trichina, introduced alive into the di-

* Equals 212° Fahrenheit.

gestive organs of man, gives him the malady called trichinosis, the effect of which is, undoubtedly, almost always death. After so absolute an affirmation the Government ought to take, without delay, the proper measures to prevent the dangers to which the people would be exposed from the use of such meat as has already been introduced and delivered to the consumers.

I have therefore addressed to all the prefets a circular prescribing the culinary precautions which must be taken to destroy the injurious effects of trichinæ with which the pork coming from America is infested. The greatest publicity should have been given by the prefets to the circular, which has, on the other hand, been inserted in the Journal Officiel of the Republic.

But the measures indicated, infallible if they are strictly observed, do not seem to sufficiently guaranty the consumers of these meats (who belong in a majority of cases to the poorer classes of the population) from the dangers which they might run through negligence or an ignorance of the prescriptions published. I have considered that it is the principle itself of the bad which should be fought, and I have charged the consultative committee of public hygiene to seek for the practical means of showing the presence of trichinæ in salt pork before delivering it to the consumers.

This verification, to be efficacious, ought to be made by competent men in a restricted number of ports of entry and customs offices on the land frontier, specially designed as ports of entry into France for pork coming from abroad. It has been shown that the introduction into the port of Havre alone, which it is true is much the largest, amounts to no less than 20,000,000 or 30,000,000 kilograms* annually, or, an average of 2,600 tonnes† monthly. The microscopical examination of the meat thus imported demands for each operation a long enough time to prevent the analysis in a serious manner of large enough quantities by any staff that would otherwise be employed in the service. The control therefore could only be partial, and consequently inefficacious, and would give to the people only a deceptive security, which would compromise at the same time the action of the Government. I have been, in consequence, led to renounce entirely all projects of verifying imported pork, at least for the present.

However, it is urgent that an end be put to the real danger which the public health is undoubtedly exposed to by the introduction into France of meat notoriously infested with trichina. As an efficient supervision does not seem to me possible, I consider it as indispensable to forbid, without delay, on all the frontier line of the territory of the Republic the importation of salt pork coming from the United States of America. Such a measure has already been taken by many states in Europe. In Prussia, Italy, Austria, Spain, Portugal, and Greece, pork of this origin is no more admitted.

Nevertheless, considering that pork of American origin forms an important part of the food of the lower classes, I shall continue to study the means of resolving the difficulties which this so important a question presents, at the same time assuring to the consumers of these meats the guaranties which they have a right to expect of a vigilant government.

Accept, Monsieur le President, the homage of my respectful devotion.

P. TIRARD,
Minister of Agriculture and of Commerce.

The President of the French Republic on the report of the minister of agriculture and of commerce.

In view of the advice of the consulative committee of public hygiene of France;

Considering that the introduction into France of salt pork notoriously infested with trichina, presents great dangers to the public health:

Decrees:

ARTICLE 1. In all the territory of the French Republic the importation of salt pork coming from the United States of America is forbidden.

ART. 2. The minister of agriculture and of commerce and the minister of finances are charged, each in that which concerns him, with the execution of the present decree, which will be inserted in the Journal Officiel and published in the Bulletin des Lois.

Done at Paris, February 18, 1881.

JULES GRÉVY.

By the President of the Republic:
P. TIRARD,
Minister of Agriculture and Commerce.
J. MAGNIN,
Minister of Finances.

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* Equals 44,000,000 to 66,000,000 pounds.
† The tonne equals 2,204 pounds.

No. 7.

Mr. Walker to Mr. Hay.

No. 90.] UNITED STATES CONSULATE-GENERAL, PARIS,
Marseilles, February 22, 1881. (Received March 10.)

SIR: Just as I was leaving Paris on the 20th instant, upon a tour of inspection of consulates in the south of France, there appeared in the Journal Officiel a decree of the President of France prohibiting the admission of American pork, on the ground that it is so pervaded with trichinæ as to be injurious to the public health.

Deeming the decree of high importance to citizens of the United States, I gave orders to have it and the accompanying report translated and forwarded to the Department of State by the next regular post-bag. These translations accompany this dispatch.*

On my arrival here yesterday I found the matter one of more pressing urgency than I had supposed, and that a committee of merchants interested in the importations of pork had gone to Paris to confer with the minister of the United States and myself in reference to the decree. I also learned that a large quantity of pork is now on its way from the United States to Marseilles, which will be denied admission under the new decree, while I do not know what remedial measure, if any, the committee in question may seek to obtain.

I have felt it to be so important that further shipment from the United States should be arrested that I have decided to send to-morrow a dispatch by cable advising you of the decree. I shall also give instruction to forward from Paris with this dispatch statistics of the importation of American pork into the three principal ports of France—Havre, Marseilles, and Bordeaux. These statistics might be obtained by consulting the last annual reports of the consuls in those cities, but it seems to me more appropriate that they should accompany this report.

I am, etc.,

GEORGE WALKER,
Consul-General.

[Inclosure 1 in No. 90.]

Importations into France of American pork during the years 1878, 1879, 1880.

Whence.	1878.	1879.	1880.
	Cwt.	*Cwt.*	*Cwt.*
From United States	664, 545	744, 586	816, 246
From other countries	89, 646	95, 988	111, 364
Total exportations	754, 191	840, 574	927, 610
Value in dollars	$9, 717, 609. 68	$8, 265, 132. 30	$8, 984, 208. 68

These figures are extracted from the official returns of the French Government; those of the year 1880 are subject to change.

The following letters from the consuls at Marseilles and Bordeaux show the imports at those ports.

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* For these papers see No. 87, from Mr. Hooper, vice-consul-general at Paris, February 21, 1881.

[Inclosure 2 in No. 90.]

Mr. Gould to Mr. Walker.

UNITED STATES CONSULATE,
Marseilles, February 22, 1881.

DEAR SIR: Agreeably to your request, I have the honor to transmit herewith the total amount of the salt pork imported at Marseilles for the years 1880 and 1879:

Total imports.	Quantities which were paid.	Amount of duties.
	Kilograms.	
1880.		
Total, 42,326.75 kilograms	27,838.13	$110,290.00
From the United States, 390,102.00 kilograms	26,666,682.00	104,827.00
1879.		
Total, 20,526.10 kilograms	14,453.90	595.52
From the United States, 17,984.48 kilograms	13,027.91	525.91

The above statements show at once the progress made by the trade at Marseilles, the importation having doubled from 1879 to 1880, and also that the market is almost exclusively supplied by the United States.

Another fact may be derived from the same figures, viz, that two-thirds of the importations are received for home consumption, and contribute in a fair proportion to the proceeds of customs at this port.

With reference to the new decree, I inclose a scrap from the commercial paper Le Sémaphore, of this place, relating to the difficulty under which ships and consignees come very near being placed.

Another instance of the annoyance involved by the unexpected decree prohibiting the importation of American pork is related to me. A sailing ship arrived from New York with provisions, and had already commenced to discharge her cargo, when the custom-house received official communication of the decree, and the landing was stopped at once. The occurrence took place yesterday afternoon, and I do not know whether the sailing ship will be favored as the steamer was, upon the application of the consignees, but if the goods are landed they will be ordered to the Government warehouse and be kept under strict bond, and it is more than likely that the importers will experience some difficulty is disposing of goods which they undoubtedly exported with the intention of selling them on the market for home consumption.

Although the decree does not concern lard and grease, I thought it well to procure also the figures of importation of such articles. The total imports amounted in 1880 to 13,446,831 kilograms, of which 11,188,190 came from the United States; and in 1879 to 12,480,166 kilograms, 9,332,231 coming from the United States.

This shows that the lard and grease trade at Marseilles is larger than that of salt pork proper, but shows also that the progress was less in proportion for the former than for the latter.

Very respectfully, etc.,

J. B. GOULD,
United States Consul.

[Inclosure in inclosure 2.]

Translation of an item from Le Sémaphore, of Marseilles, of February 22, 1881.

There arrived yesterday at the dock basin at Marseilles the steamer *Vicenz Florio*, with a cago of lard and hams of American production. In consequence of the decree prohibiting the admission at the frontier of the territory of the French Republic of all imported salt provisions, the consignees of the cargo petitioned the minister of commerce to authorize the landing of the cargo, which was granted. After a proper identification on the quays, the merchandise will be transported to a warehouse, where it will be minutely examined by agents of the government in such a manner as to afford every guarantee to consumers.

Mr. Gerrish to Mr. Walker.

UNITED STATES CONSULATE,
Bordeaux, February 24, 1881.

MY DEAR SIR: I received yours from Marseilles the 21st, yesterday, and have obtained from the custom-house the statistics you desire.

During the year 1880 the importations at this port, direct from the United States, of salt pork, bacon, and hams, amounted to 2,543,497 kilograms.

The first of the new line of steamers direct from Bordeaux to New York has just returned laden principally with the above named articles, and this recent decree seemed at first to be the death-blow of the enterprise, but a telegram from Paris this morning permits the cargo to be landed, subject before delivery to the inspection of the authorities.

The rumor that the American Government had prohibited the entry of French wines caused great excitement here yesterday, but all is tranquil to-day.

Yours, very truly,

B. GERRISH.

No. 8.

Mr. Noyes to Mr. Evarts.

[Telegram.]

PARIS, *February* 23, 1881.

EVARTS, *Secretary, Washington:*

I have had protracted interview with minister for foreign affairs and minister of agriculture and commerce. Former conciliatory; latter more reserved, being alone responsible for decree. Promised, however, that all pork shipped before date of decree should be admitted on inspection, diseased only being condemned. The Government is considering expedient to secure public health without maintaining decree. Have great hope it will be revoked after some delay. Am using all possible influences.

NOYES.

No. 9.

Mr. Walker to Mr. Evarts.

[Telegram.]

PARIS, *February* 23, 1881.

EVARTS, *Secretary, Washington:*

French Government issues decree immediately excluding American pork.

WALKER,
Consul-General.

No. 10.

Mr. Noyes to Mr. Evarts.

No. 439.] LEGATION OF THE UNITED STATES,
Paris, February 26, 1881. (Received March 12.)

SIR: Referring to the telegraphic correspondence which has passed between the State Department and this legation upon the subject of a

decree of the French Government prohibiting the importation into France of American pork, I have the honor to inclose herewith—

1. The report of Mr. Tirard, minister of agriculture and commerce, and the decree of the President, *in French*.
2. Translation of the report and decree.
3. Copies of telegrams from and to State Department on the subject.
4. Copies of my dispatches to the minister for foreign affairs of the French Republic.

In addition to the information communicated by these documents I have the honor to report that immediately upon the promulgation of the decree, February 19, 1881, I took measures to acquaint myself with the facts and circumstances which led to this summary action, more fully, if possible, than appeared in the report of Mr. Tirard.

On Sunday morning the 20th instant I received your telegram, and the same day addressed to the minister for foreign affairs the communication expressing, by your authority, the regrets of my Government. On Monday the 21st and Tuesday the 22d I had interviews with Mr. Barthélemy St. Hilaire, and on Wednesday the 23d by appointment, with Mr. Tirard, minister of agriculture and commerce. I was informed by both these ministers that the necessity for the decree was found in the fact that numerous inspections of American pork had recently been made by most competent scientific men; that the meat was taken at random from many different packages or consignments, and that all, or nearly all, was found to be infected with trichinæ; that, in the estimation of the Government of the French Republic, the preservation of life and health was a matter more important and imperative than any considerations of trade and commerce; that the resolution of the Government had only been taken after full investigation, mature reflection, and great pressure of public opinion; that the decree, while it undoubtedly affected injuriously American commerce, was not less severe and appreciable to the French traders and population, as American pork entered largely into the daily consumption of a great number of the poorer classes of Frenchmen; that the maintenance of the decree would depend upon the necessity and that it would be revoked as soon as the occasion for it had disappeared or had become so rare as to warrant its recall.

I assured the ministers referred to that I was incapable of urging or suggesting any action on the part of the French Government which would imperil life or the public health; that I fully appreciated all which had been said upon that subject. But I ventured to suggest that among fifteen millions of my countrymen very little meat was consumed other than American pork; that among that great number of persons this constituted a part of their daily food; that among thirty-five millions more of our population pork was eaten interchangeably with other meats, and that no danger to life or health had resulted from such consumption and use. I also cited England, where a vast amount of American pork is used, and where no disastrous effects have followed. I represented that it was inconceivable to my Government that different and dangerous consequences could follow its consumption in France. I corrected the statement contained in the report of Mr. Tirard as to the prohibition of importation of such meats into Germany, Austria, and Spain, on the authority of our ministers in those countries. I represented the magnitude of the interest involved, the disastrous consequences which would follow the continued operation of the decree, and in the name of my Government asked for its revocation, or suspension until such time as the subject could receive a fuller and more searching investigation.

I inquired if any actual cases of sickness or death resulting from the use of American pork in France had been officially reported. I was answered that while no certain case could be cited, there were numerous cases where it was believed or suspected to have been influential in producing said results. I said that I would venture to affirm that no case could be found, in France or elsewhere, in which death or illness had resulted from the use of American pork *well cooked*, even if infected as claimed. I also said that this disease was not confined to American pork, but was far more common in France and Germany, by reason of the inferior and less healthful substances upon which the hogs of those countries were fed and fattened.

I called attention to the fact that this decree had been published without notice, and that it became immediately operative; that American pork to the value of many millions of francs had arrived in France and was awaiting delivery, or was on the sea *in transitu;* that bills on account of payment for these consignments had been drawn and discounted, and that these drafts would be continually arriving in Paris, would be protested, and would cause financial ruin to many who had acted in good faith, and who had made their shipments without notice of this decree or the facts upon which it purports to be based.

The minister of agriculture and commerce finally assured me that all pork which had been shipped from America prior to the publication of the decree should be admitted into French ports and delivered to consignees, subject only to inspection and the condemnation of such meat as might be found diseased. He also informed me that the Government would diligently seek for expedients in order to be able to abrogate the decree without putting in jeopardy life and health.

In my interviews with both these ministers I found them not unkindly disposed, and their assurances were frank and conciliatory. While no promise was made by either, the impression I gained was that at no distant day the decree would be revoked, and some thorough system of inspection substituted therefor. To this end I have utilized all possible influences, and shall continue to do so. I hope for favorable results.

I have, etc.,

EDWARD F. NOYES.

[Inclosure 1 in No. 439.—Translation.]

Report to the President of the French Republic.

(See Mr. Hooper to Mr. Hay, No. 87, February 21, 1881, inclosure 2.)

[Inclosure 2 in No. 439.—Translation.]

(See Mr. Hooper to Mr. Hay, No. 87, February 21, 1881, inclosure 2.)

[Inclosure 3 in No. 439.]

Mr. Noyes to M. Barthélemy St. Hilaire.

LEGATION OF THE UNITED STATES,
Paris, February 20, 1881.

SIR: I am instructed by Mr. Evarts, Secretary of State at Washington, to convey to your excellency an expression of the profound regret entertained by the Government of the United States that your excellency's Government should have deemed it advisable to issue the decree of the 18th instant prohibiting the importation of American pork into France.

I need not remind your excellency that the influence of such a decree is far reaching and most detrimental to the commercial interests of the United States. Speaking in the name of my Government, I beg leave to express the hope that further consideration and a fuller investigation of the facts which led to the decree may result in its revocation.

In the mean time I beg to be informed as to the circumstances which have induced your excellency's Government to adopt the extreme measure set forth in the decree, in order that I may promptly make known the facts to my Government.

I take this opportunity to renew to your excellency the assurance of the distinguished consideration with which I have the honor to be your obedient servant,

EDWARD F. NOYES.

[Inclosure 4 in No. 439.]

Mr. Noyes to M. Barthélemy St. Hilaire.

LEGATION OF THE UNITED STATES,
Paris, February 22, 1881.

SIR: Referring to our conversation of this morning regarding the decree of your excellency's Government prohibiting the importation into France of American pork, I beg leave to submit, for such consideration as your excellency may deem them entitled to, the following observations:

The preparation and sale of pork constitute one of the most important industries of the United States, and a vast amount of capital is invested in the same. The maintenance for any considerable time of the decree in question would result in the financial ruin of thousands of our business men. Pork to the value of many millions of francs is now afloat on its way to France, or has already arrived and is waiting delivery. Bills for payment on account of these consignments have been drawn and discounted, and the drafts will inevitably go to protest in Paris if this decree remains in force. I trust, therefore, that it will not be considered strange that my Government and countrymen entertain a deep feeling on this subject.

The decree was issued without notice, and became immediately operative. Therefore, there was no opportunity afforded to provide against the immediate disastrous effects and loss occasioned thereby.

I appreciate fully the considerations regarding the public health referred to by your excellency in our interview of to-day, and should be loath to urge or suggest any action that would imperil either life or health. But I respectfully suggest that in the United States there are probably 15,000,000 persons who consume daily American pork to the exclusion of all other kinds of meat. Thirty-five million more habitually partake of pork interchangeably with other kinds of meat. No disastrous consequences have followed, and *neither* life *nor* health has been endangered. Under such circumstances, and with such unlimited means of knowledge, it seems to my Government and people inconceivable that the infection or disease complained of, and which purports to form the basis of the decree, can be so general or extensive as to warrant the summary measure adopted by the French Government; and I respectfully suggest that the disease complained of is not confined to American pork, but is quite as common to that of France and other countries. In American pork it is certainly exceptional and comparatively rare, as a long and extensive experience has assured my Government and countrymen.

Considering, therefore, the interests involved, and the facts to which I have alluded, I beg leave to express the hope that the decision arrived at by your excellency's Government may not be considered final and irrevocable, but that the decree may be at least so modified as to admit American pork into French ports subject to rigid inspection and condemnation of such, if any, as may be found diseased.

My Government very respectfully, but most urgently, protests against the decree as now in force, and urges a reconsideration of the subject, with a view to the revocation of the order and the adoption of some other expedient not injurious to American trade and commerce and not incompatible with the welfare of the French people.

I beg to be informed, in as much detail as is convenient, as to the extent of the inspection of American pork upon which the order was based, the relative amount of such meat found to be defective, and as to whether any actual cases of sickness or death in France resulting from the use of American pork have been officially reported.

I avail myself of this occasion to renew the assurances of the distinguished consideration with which I have the honor to be your excellency's most humble and obedient servant,

EDWARD F. NOYES.

No. 11.

Mr. Evarts to Mr. Noyes.

[Telegram.]

WASHINGTON, *March* 7, 1881.

NOYES, *Minister, Paris:*

Published statements of mortality among swine are false.

EVARTS.

No. 12.

Mr. Gerrish to Mr. Hay.

No. 114.] UNITED STATES CONSULATE,
Bordeaux, March 9, 1881. (Received March 24.)

SIR: I have the honor to forward herewith a communication relative to the recent order of the French Government prohibiting the importation of American pork into the territory of France.

I am, etc.,

B. GERRISH,
United States Consul.

[Inclosure in No. 114.]

THE DECREE PROHIBITING THE ENTRY OF AMERICAN PORK INTO FRENCH PORTS.

The recent decree of the French Government prohibiting the entry of American salted pork, hams, bacon, and lard into any port of France created here, on its promulgation, much excitement, not among importers and retail dealers alone, but among the large class who are the principal consumers.

The terrible trichina had never been observed nor thought of here, and this sudden decree was not only crushing a business that has been developing largely of late, but was depriving a large portion of the population of a cheap and nutritive food.

It appears from official sources that in the last twenty years there has been but one death in France from trichina, and even that has been disputed at the Academy of Medicine lately by one of the most celebrated physicians of France. If, however, in this case trichina was really the cause of the death, it came from eating the pork of a native hog.

Deaths occur every year from hydrophobia and from eating the unripe fruit, and still unmuzzled dogs run the streets and green fruit is sold in the markets without restriction.

The importations at this port directly from the United States of pork, hams, and bacon, for the year 1880, amounted to 5,606,000 pounds. A large quantity in addition came by way of England and Havre. Much of this of course was distributed through neighboring departments, and no one that I can learn has ever had reason to complain of it, except on account of certain hams and pieces of bacon badly cured or enveloped.

I have heretofore believed that there was more reason to fear a loss of this important trade from the latter cause than from trichina. A dishonest shipper in one exportation can destroy a trade worth millions, and if an official inspection were made at the port of shipment, as is made here at the port of debarkation, it would be much to our advantage. Confidence first is wanted, and with that prejudices can be surmounted.

The chamber of commerce, on the reception of the decree of prohibition, forwarded a vigorous protest to the minister of commerce at Paris, a translation of which I give below.

A question of commerce was also at stake. For more than a year past some of the wealthy and leading citizens of Bordeaux have been laboring to establish a direct line of steamers from here to New York. The amount of capital necessary for a com-

mencement was subscribed, and the first steamer left here in December. The freight in return, as was expected and as was calculated upon, largely consisted of pork, hams, etc., but on its arrival the discharging had scarcely commenced when this order prevented any further landing of the cargo.

A rumor that the United States Government had retaliated by a refusal to permit the introduction of French wines there added to the excitement, and demands at the consulate for positive information were many.

A subsequent order of the French Government, but with great restrictions, permitted a discharge, and also the admission of all cargoes now on the way which may have left an American port previous to the first decree.

As will be seen, the return freight upon which the company largely counted is forbidden entry, and it is probable that the direct steam communication between the ports of Bordeaux and New York may have to be suspended. This is to be regretted, as the anticipations of the projectors of this line were to make it a rival of the best lines from Liverpool or Havre. New steamers of greater tonnage were gradually to be added, with the most approved accommodations for passengers.

One steamer of 2,500 tons has just been purchased and will soon be ready for service. The ever-increasing number of Americans desirous of spending the winter in the south of France or in Italy could, in the autumn or spring months, by this line, take a more southerly course in crossing the ocean, thus insuring doubtless a better passage and avoiding the tiresome railway journey from Liverpool or Havre. It is not to be wondered at that the Bordeaux people, whose interests in so many ways are largely compromised, keenly feel the misfortune which this decree of the Government entails, and believing it uncalled for, are so earnest in their solicitations for its revocation.

B. GERRISH.

UNITED STATES CONSULATE,
Bordeaux.

[Translation.]

Letter from the chamber of commerce at Bordeaux to minister of agriculture and commerce at Paris.

Mr. MINISTER: Authorized in this matter by the chamber of commerce of Bordeaux, we take the liberty to submit for your approbation certain observations relative to the severe measures of the decree of the 18th of February, by which salted pork coming from the United States is forbidden to be entered in any port of France.

We owe it to you and we owe it to ourselves, Mr. Minister, to state to you with earnestness that in considering this question we understand that the considerations relative to the hygiene and the public health are above all else, and that if the measure decreed by you is really required, it should be enforced; but if, as we believe, your decision has been the result of inexact information, in any event exaggerated, if the dangers which you apprehend are not real, then we do not hesitate to say that this measure is greatly to be regretted, and it seems to us that it ought to be revoked.

In reality, this measure will have a double and very serious result; the first will be to take from the public food of great importance, and to enhance enormously the price of similar food produced in France.

Would it not be greatly regretted to take from the laboring classes, and the poorest, this resource for food, if not absolutely required?

The second consequence, which certainly is of value, is that it would be a terrible blow to a very important branch of commerce which facilitates our exchanges and gives to our merchant marine a precious value in freight.

Before indicating some of the positive and technical reasons which dictate our opinions, permit us an observation of a general character which appears to meet your attention.

For a long time the solicitude of several governments has been awakened in this great question; scientific researches have been prescribed by them and made with the greatest care. The result has been that they have believed it safe to allow the free entry of these goods for consumption. This has been done in England, Belgium, Holland, Sweden, Norway, Russia, Denmark, Spain, and Germany, which is contradictory to the erroneous information furnished you.

England, which consumes five or six times more of these products than France, is a country, as you know, Mr. Minister, to judge of it by the earnest measures taken concerning the importation of living animals, where the Government guards with the greatest vigilance the introduction of goods which may prove deleterious to the public health, and still England does not hesitate to receive these goods by hundreds of thousands of tons. The English Government has certainly reason for its course, from the fact that no case of trichina has ever been known in England. Therefore, it seems to us a fact of considerable importance in our case.

We understand, however, that the example of other nations does not suffice for our guide, and that if measures adopted by them are wrong we ought to act differently.

But in this case it ought to be demonstrated with certainty that the salted pork coming from America has occasioned maladies, while from French pork no danger to the public health has been apprehended; but this does not appear to be the case, if we can judge from the reports of the session of the Academy of Medicine of the 15th of February, published in the Journal Officiel of the 19th of the same month.

If American pork presents no more dangerous consequences to consumers than French pork, then it seems to us that we ought equally to permit the consumption of American pork or to forbid that of French pork.

We conclude, Mr. Minister, that you desire to make without delay investigations and scientific researches as exact, as complete, and as profound as possible. We demand that a study may be made on salted American pork, on salted and fresh French pork, and also on the living animals crossing our frontiers. We believe that these investigations will demonstrate that American pork presents no more danger as an article of food for the public than pork of any other origin, and if, after careful study, such proves to be the case, we demand that one no more than the other be excluded from consumption. In waiting, however prompt these investigations may be, we believe it our duty to remark, Mr. Minister, with much earnestness, that the decree of the 18th of February has caused great interests to suffer to the extent of millions. We think, then, that temporarily it is desirable that the prohibition be removed, and that the introduction of American meats may be permitted with the necessary precautions of submitting them to a severe inspection which shall put the public beyond all danger.

Up to this time the importation of these meats does not seem to have produced in France the consequences which the Government fears; the neighboring countries do not seem to have suffered more than we.

The transitory measure, then, which we propose, in waiting a definite solution, will give much satisfaction to the great interest, engaged, and will not be of the slightest risk to the public.

A. LALANDE,
President of the Chamber of Commerce, and others.

No. 13.

Mr. Blaine to Mr. Noyes.

No. 342.] DEPARTMENT OF STATE,
Washington, March 15, 1881.

SIR: Your No. 439, relating your action with respect to the late decree of the French Government prohibiting the importation of American pork into France, has been received. I have pleasure in approving your course, and I trust that your discreet and conciliatory efforts towards procuring such modification of the enforcement of the decree as will relieve legitimate commerce from a sudden and disastrous check may be successful.

The publication in the London Times, on the 19th of February ultimo, of a report made in December last by the then acting British consul at Philadelphia, has occasioned wide-spread alarm, and given rise to correspondence with the British legation here and with the boards of trade of the great pork producing and shipping centers. Mr. Crump's report, besides stating that "immense mortality among swine by a disease known as hog cholera" exists (from which disease 700,000 head are stated to have died in Illinois during the past year), proceeds to confound that disease with the entirely distinct disorder of *trichinosis*, of which latter he relates certain horrible examples.

The most searching investigation fails to show the basis of these published statements. While the mortality among very young swine from the so-called hog cholera has been less than for several years past, the health of the full-grown hogs (which are alone packed as pork) has

never been better in the great producing States, and the absence of communicable diseases among them has been most noteworthy.

In view of all the facts accessible to it, this Department can not but reach the conviction that the good faith of the British representative at Philadelphia has been imposed upon by designing speculators, to the great injury of legitimate trade.

My predecessor sent you a telegram on the 7th instant in the following words:

NOYES, *Minister, Paris:*

Published statements of mortality among swine are false.

EVARTS.

Since that date, my correspondence with the British legation here has not elicited any ground for the extraordinary report of Mr. Crump. You may, therefore, unhesitatingly deny it, in view of the mass of direct testimony to the contrary possessed by this Government, in case the French minister should appeal to it as justifying interdiction of, or onerous interference with, the pork trade of this country.

I am, &c.,

JAMES G. BLAINE.

No. 14.

Mr. Blaine to Mr. Noyes.

[Telegram.]

WASHINGTON, *March* 16, 1881.

NOYES, *Minister, Paris:*

Communicate to Lowell by mail immediately instruction of even date to you relative to pork product.

BLAINE, *Secretary.*

No. 15.

Mr. Blaine to Mr. Noyes.

[Telegram.]

WASHINGTON, *March* 16, 1881.

NOYES, *Minister, Paris:*

Your course respecting pork decree of French Government approved. Statements of Crump, acting British consul at Philadelphia, have occasioned excitement and wide-spread comment here, leading to correspondence with British legation and boards of trade.

Hog cholera is confounded with trichinosis, which is an entirely distinct disease. But representations regarding hog cholera are very greatly exaggerated. Most searching investigation fails to show the basis for published statements. The mortality among very young swine from cholera has been less this year than for several years past, and the condition of full-grown hogs, which are alone used for packing and export, is this year exceptionally good. British representative at Phil-

adelphia has apparently been misled by designing speculators, to great injury of legitimate trade.

Deny in strongest terms report of British consul, should French ministers appeal to it as justifying them in interdicting or restricting American pork trade.

Instructions follow.

BLAINE, *Secretary.*

No. 16.

Mr. Blaine to Mr. Noyes.

[Telegram.]

WASHINGTON, *March* 17, 1881.

NOYES, *Minister, Paris:*

It is indicated to me that there are impediments to entry of pork products shipped before the date of prohibitory decree. Insist energetically that all shipments made before date of decree shall be received on proper inspection, as otherwise great hardship will result to American shippers.

BLAINE, *Secretary.*

No. 17.

Mr. Noyes to Mr. Blaine.

[Telegram.]

PARIS, *March* 18, 1881.

BLAINE, *Secretary, Washington:*

French Government originally intended to admit only on sea, but now agrees that all loaded on ships before date of decree (when this fact is well established) will be admitted, subject to inspection, with as little delay as careful examination permits. Prospects for early revocation of decree not very favorable, as reports of inspectors are very damaging. French Government had your dispatch before I did.

NOYES.

No. 18.

Mr. Noyes to Mr. Blaine.

[Extract.]

No. 449.] LEGATION OF THE UNITED STATES,
Paris, March 24, 1881. (Received April 7.)

SIR: I have the honor to inclose copies of telegrams regarding the decree prohibiting the importation of American pork, sent and received since the date of my dispatch No. 439, of date February 26, 1881.

The French Government has consented to receive, and to deliver to consignees, subject to inspection and condemnation of such as is found to be diseased, all pork which had actually been shipped from its orig-

inal starting point by packers and merchants prior to the date of the decree of prohibition. Positive proof, however, will be required that the meats were actually *in transitu* before the decree was promulgated.

I have sent copies of your telegrams on this subject to Mr. Lowell, United States minister at London, as you directed.

The inspector of American pork here has demonstrated that a considerable percentage, just how large can not be ascertained, as reports are conflicting, is infected with trichinæ, and the prejudice among Frenchmen against it so great that sales by retail dealers are largely suspended. Some dealers inform me that they can not dispose of American pork and hams at any price. But as the price of French pork has greatly advanced since the decree of prohibition was promulgated, it is not likely the present state of things will continue. The French people of the poorer classes must have American pork, and in time the decree will, I am confident, be revoked, but I do not expect it at present.

* * * * * * *

I have, &c.,

EDWARD F. NOYES.

No. 19.

Mr. Noyes to Mr. Blaine.

No. 462.] LEGATION OF THE UNITED STATES,
Paris, April 8, 1881. (Received April 22.)

SIR: Referring to the dispatches which have passed between the State Department and this legation regarding the decree prohibiting the importation of American pork into France, I have the honor to inclose slips from the French newspapers of wide circulation relating to this subject.

The chambers of commerce at Havre, Bordeaux, and Marseilles are moving actively in the matter, and powerful influences are being organized to secure the revocation of the decree.

I have some reason to think that the French Government is more favorably disposed than heretofore toward our application, and I am confident that within two months, perhaps within one month, the order will be annulled, and a system of thorough inspection organized instead. If this proves to be true, I shall use every endeavor to have the inspection attended with as little annoyance, delay, and loss as possible.

I have not troubled the Department with frequent dispatches on this subject, but I have spared no effort and have lost no opportunity to utilize all the influences and aid at my command, in order to modify public opinion and to secure the free admission of American pork.

I am satisfied beyond all doubt that the amount of trichinæ found in our swine product has been greatly exaggerated. My information is that not over one per cent. is infected, and of the first class meats less than one per cent.

Undoubtedly at one time large lots of bad and diseased pork were shipped from the United States to France, for what reason or from what motive the State Department can judge better than I am able to do.

I have, &c.,

EDWARD F. NOYES.

(Inclosures: Extracts from French newspapers, not translated, omitted.)

No. 20.

Mr. Blaine to Mr. Noyes.

No 363.] DEPARTMENT OF STATE,
Washington, April 23, 1881.

SIR: I inclose herewith for your information a copy of a letter to this Department from the firm of S. Davis, jr., & Co., making some statements in regard to the proceedings of the French authorities in reference to certain lots of pork sent to France by them for sale.

In view of the great hardships to which this firm have been exposed by the action of the French Government, based upon false reports as to an extraordinary prevalence of trichinosis among the hogs of this country, I will thank you to bring the complaints of Messrs. S. Davis, jr., & Co., to the attention of the French foreign office with a view of obtaining for them such relief as may be practicable.

I am, &c.,

JAMES G. BLAINE.

[Inclosure in No. 363.]

Messrs. S. Davis, jr., & Co. to Mr. Blaine.

CINCINNATI, *March* 26, 1881. (Received March 13.)

DEAR SIR: It has been suggested to us that we advise you of the course pursued in Paris with our meats, and to offer letters.

We send copy of one entire, with comments below.

In contrast with it, where our hams passed "with honor," another house with hams packed the *same day* here and forwarded by *same steamer* were rejected in Paris and lot sent back to Havre. This, too, after passing inspection at Havre.

[Letter from Havre.]

Lot per "Volner" found sound by the government inspector, and, with authority of consignees, forwarded to Paris. (Second lot.) But they may be rejected at Paris like the first. Here they do not find trichina, but it appears they find some in Paris, and *then immediately destroy the meat.*

Mr. P. returned us here nine crates (from Paris). We will try and sell the hams; *but it is a pity* to see how these hams are *damaged;* the covers are off, and they have holes as big as a thumb.

PARIS, *March* 4, 1881.

S. D., JR., & CO., *Cincinnati:*

Your invoice of January 22 reached me to-day, after passing the ordeal of microscopical examination *with honors.*

The delay and trouble and *consequent expenses are so great that* I can hardly say whether I am glad or sorry that the invoice of January 4 has at last reached Havre. * * * Many persons are, of course, prejudiced against American pork. This was, no doubt, the only object of the recent decree.

I hear that some members of Bordeaux Chamber of Commerce, who were deeply interested in the American pork trade, came here recently, and, choosing some freshly killed French pigs at the abattoir, had them analyzed with the result that several were found to be more or less infected with the newly-invented disease.

That I understood to be with the object of showing that trichina is possible in French pigs, many here contending that, in the way they are fed, they are more liable to have them than ours, as we *have sounder and fresher food.*

S. DAVIS, JR., & CO.

We desire to state that this has been the most favorable season for curing meats that we have had for years, and with consumers here and abroad the cure has been pronounced better than last season.

We take great pains with meats for export, being drier then domestic meats when shipped, and for two years have had double covers.

And one matter, very important—for there have been complaints that meats are sent over not fully cured, and sometimes true, and so ordered by French people—we have *not* this season, or at any time, sent *any hams* but *those fully cured.* We have, by cable and letters, given a portion of this information to Governor Noyes, who has our hams for his own use, and whom the writer well knows.

You can see our *losses* are likely to be *severe,* and portion of meat may be *returned* here, and some destroyed.

Very respectfully, your obedient servants,

S. DAVIS, JR., & CO.

No. 21.

Mr. Blaine to Mr. Noyes.

No. 365.] DEPARTMENT OF STATE,
Washington, April 28, 1881.

SIR: I have to acknowledge the receipt of your dispatch No. 462, of the 8th instant, referring to your personal efforts to obtain a revocation of the decree prohibiting the importation of American pork into France, and informing me that the French Government, at the date of your dispatch, seemed disposed to take favorable action, at an early day, in relation to your application for the annulment of the decree in question.

I heartily approve your prompt and judicious action in reference to this subject, and I am exceedingly gratified to learn that there is a prospect of a speedy revocation of a measure so injurious to important American commercial interests.

I am, &c.,

JAMES G. BLAINE.

No. 22.

Mr. Blaine to Mr. Noyes.

No. 368.] DEPARTMENT OF STATE,
Washington, May 4, 1881.

SIR: I inclose herewith for your information a copy of a letter dated the 21st ultimo, from Messrs. L. Huchberger & Co., Chicago, Ill., in which they inform this Department that on the 4th of February last they contracted to deliver in Havre, France, during the following month, six hundred boxes of bacon; that they forwarded the same from Chicago on the 8th and 9th of February; and that the property left New York on the 23d of the same month for Havre by the steamer Ville de Marseilles. Upon the arrival of the bacon at Havre the French authorities seized twelve boxes of it, on the ground that the meat contained in the boxes seized was infected with trichinæ. Messrs. Huchberger & Co. say that they believe that there is no good ground for this action of the French authorities, and they therefore desire that the bacon which was condemned may be returned to their agents at Havre for reshipment.

In view of the representations which Messrs. Huchberger & Co. have made to the Department on this subject, I have to instruct you to bring the matter to the attention of the French Government, and to ask that, if practicable, the bacon in question may be re-examined with a view to testing the accuracy of the first examination, and determining whether

the circumstances of the case are such as to justify the French authorities in restoring the property to the agents of Messrs. Huchberger & Co. for reshipment.

I am, &c.,

JAMES G. BLAINE.

[Inclosure in No. 368.]

Messrs. L. Huchberger & Co. to Mr. Blaine.

CHICAGO, *April* 21, 1881.

DEAR SIR: The senior member of our firm is a naturalized citizen of the United States, residing in this country since 1850, and in this city since 1854; the junior member is a United States citizen by birth.

We are engaged in exporting provisions, and, having some little trouble with a shipment to France, we are obliged to submit to you the following complaint:

February 4, 1881, we contracted to deliver in Havre, France, during the following month of March, 600 boxes bacon, and, agreeably to our contract, we forwarded the same from here February 8 and 9, as described in copies of the bills of lading, which we hand you herewith.

February 19, ten and eleven days after date of shipment, the French Government issued their decree against the importation of American bacon into France, but the said shipment having advanced on its journey too far we could not stop it, and so were obliged to let it proceed.

The property left New York February 23, per steamer Ville de Marseilles, and arrived at Havre March 11.

We are advised by our correspondents there (MESSRS. J. Barenklau & Co.) that of this shipment of 600 boxes the Government seized twelve boxes, in value of $600, claiming that the meat contained therein was infected with trichinæ. Our correspondents further advised us that it was doubtful if these twelve boxes would be given back.

We believe there is no good ground for such action, and, as we desire to relieve France of the burden of these twelve boxes and wish to send them away from that country, we do not think justice is being done us in withholding them, and hence are obliged to ask your intercession to enable us to recover our property and protect us as United States citizens.

If the French Government had given proper public notice in time that they would prohibit the importation of American bacon after a certain day, then we would have no reason for complaint; but being that they issued their order *peremptorily* without notice while these goods were in transit, if there was any bacon in the lot which they would not receive, we claim that we should have the same back with permission to reship, and hope you will instruct your respresentative at Paris to that effect.

We are, etc.,

L. HUCHBERGER & CO.

No. 23.

Mr. Blaine to Mr. Noyes.

No. 369.] DEPARTMENT OF STATE,
Washington, May 13, 1881.

SIR: Referring to my instruction No. 368 of the 4th instant, in relation to the complaint of Messrs. L. Huchberger & Co., of Chicago, against the French Government for the seizure of twelve boxes of bacon at Havre, I have now to inform you that I have received a letter from the above-named firm, dated the 9th of this month, stating that they are advised by their correspondents at Havre that the French authorities have voluntarily restored the twelve boxes of bacon in question. No further action upon your part will therefore be necessary in regard to this subject.

I am, etc.,

JAMES G. BLAINE.

No. 24.

[Telegram.]

Mr. Blaine to Mr. Noyes, May 23, 1881.

(See instruction, Mr. Blaine to Mr. Noyes, No. 371, May 26, 1881.)

No. 25.

Mr. Blaine to Mr. Noyes.

No. 371.] DEPARTMENT OF STATE,
Washington, May 26, 1881.

SIR: On the 23d instant I sent you the following telegram, viz:

NOYES, *Minister, Paris:*

A telegram from Bordeaux to Chicago, 18th instant, says that the deputies from Bordeaux and Havre had an interview with minister of commerce touching American pork exports, and that minister asserted that American papers are full of revelations of extent and intensity of trichina in America. If made, as asserted, statement is based on erroneous impression in minister's mind formed by isolated items maliciously published for speculative purposes. Most rigid examination adds daily to strength of position of this Government in claiming that the hog exports of this country are singularly free from trichina or any communicable disorder. Make dignified protests against minister's statements as prejudiced and inimical rumors, to which the mass of American press lends no credence.

BLAINE, *Secretary.*

I inclose herewith, for your further information, a copy of a letter from Messrs. Armour & Co., of Chicago, communicating to the Department the information upon which the above telegram is founded.

I am, etc.,

JAMES G. BLAINE.

[Inclosure in No. 371.]

Messrs. Armour & Co. to Mr. Blaine.

CHICAGO, *May* 18, 1881. (Received May 21.)

SIR: We beg to call your attention to the inclosed cable dispatch received by us to-day from Messrs. Seignouret Frères, of Bordeaux, by which you will see that the efforts being made by those interested in the importation of American meats into France are being seriously hampered and offset by the circulation of false reports in that country respecting the situation of affairs here.

We have for some time, through our agents in Havre, Marseilles, and Bordeaux, been engaged in some effective work, we think, in bringing about the repeal, or at least the modification of the prohibitory decree of the 18th February last; and as the prompt action taken by yourself in denial of the erroneous statements current about that time were of the utmost value in modifying the original decree, whereby all meats shipped from this country before issuance of the decree were permitted entrance, we now take the liberty to suggest that an official denial be made of the existence of any newspaper articles of the kind mentioned in the inclosed cable dispatch.

Friends of the American meat trade all over France are, we know, meeting with every possible obstacle in their efforts to effect the repeal of this decree, and any official assistance you may see fit to render them by the denial of false rumors will, of course, be of the very greatest value.

Messrs. Seignouret Frères, from whom the inclosed cable dispatch was received by us, are by far the largest dealers in and importers of American meats in France, and have been ever since this prohibitory order was issued unremitting in their exertions toward its repeal.

Confident of your sympathy with the general effort being made to relieve the commercial public, equally with the agricultural interests of this country now suffering from the effects of this prohibitory decree of the French Government, and soliciting your valuable co-operation at this time,

We have, etc.,

ARMOUR & CO.

[Appendix to letter of Messrs. Armour & Co.—Telegram.]

BORDEAUX, *May* 18, 1881.

ARMOUR, *Chicago:*

Bordeaux-Havre deputies had, yesterday, interview with minister commerce, who asserted that American papers are full of revelation on extent and intensity of trichina in America. We advise strong protest from the press, and true reports sent by officials.

No. 26.

Mr. Noyes to Mr. Blaine.

No. 475.] LEGATION OF THE UNITED STATES,
Paris, May 27, 1881. (Received June 10.)

SIR: I have the honor to send you herewith the translation of remarks made in the Chamber of Deputies on the occasion of the interpellation of Mr. Tirard, minister of agriculture and commerce, by the deputy from Havre, on the 24th day of May, 1881. It will be noticed that at the close of the remarks of Mr. Tirard he plainly indicated that as soon as the necessary arrangements could be made for thorough inspection of American meats, he would propose the revocation of the prohibitory decree. I learn also from other sources, unofficial, that this is in contemplation by the French Government.

In answer to your telegram of the 24th instant, referring to certain published statements alleged to have been made by the minister of agriculture and commerce to the deputations from the chambers of commerce at Havre and Bordeaux, I take pleasure in saying that after careful inquiry, I am satisfied that the minister did not make the statements imputed to him. What he did say was in substance the same as what appears in the report of his remarks in the Chamber of Deputies herewith inclosed.

You can rest assured that I have neglected no opportunity to assert and emphasize your views upon this question, and very powerful French influences are operating to secure the revocation of the decree. There is unavoidable delay, but I believe the result will be attained after a time.

I have, &c.,

EDWARD F. NOYES.

[Inclosure in No. 475.]

CHAMBER OF DEPUTIES, SITTING OF MAY 24, 1881.

Mr. PEULEVEY (Havre) asked to put a question to the minister of agriculture and commerce relative to the prohibition of American salted meats. He explained that the maintenance of the decree of prohibition caused a great prejudice to an important branch of French commerce. For more than twenty-five years the laboring population had contracted the habit of finding in these meats a healthful element of alimentation. This situation has been overturned by a decree of prohibition. It was

charged that American salted meats contained live trichinæ; but it is necessary to know whether the fact is such, and, if so, whether it offers a real danger. Only one case of trichinosis has been established in France, and this was twenty-five years ago at Crépy-en-Valois. But in meats salted for two or three months the trichinæ is dead, at any râte cooking at 75° will kill it. American salted meats are therefore without any danger, and there can be no motives to maintain the decree of prohibition.

Mr. LIONVILLE said that live trichinæ were found in salted and smoked meats.

Mr. TIRARD, minister of commerce, replied that numerous complaints had been made against the decree which the Government had been compelled to issue. With a view of giving satisfaction to those who so complained, the Government instituted a bureau of verification, which has been in operation since February. In the beginning, when this service was not as yet well organized, no trichinæ were detected at Havre, but it has happened that the same lots submitted to re-examination in Paris were found to contain trichinæ in great quantity. (Oh! Oh!) Since the Havre service has been re-organized it has detected trichinæ in an important proportion of the meat examined. It is asked if bad results have followed. But the first duty of the Government is to prevent accidents. This is what it has done with all due consideration to freedom of commerce. I can assure you, gentlemen, that the Government is continuing the examination of this matter, not in a scientific point of view, for in this respect my opinion is made. I have read all the discussions which have taken place on this subject in France and abroad, and if Mr. Peulevey had seen all the documents published, not only in Europe, but also in America, where the decree of prohibition has created much excitement, he would have found that the Americans themselves admitted that they had not taken the necessary precautions against dangers which might attend their salted meats.

The minister then quoted as supporting his views the report of British commissioners to the United States, and said that the administration is determined not to allow the free circulation of these dangerous products; that it was trying to establish an effective system of inspection, but that so long as it shall not be possible to organize this system on a large scale it will not take the responsibility of revoking the decree of prohibition.

Mr. PEULEVEY. The minister has said that his opinion was made; this is unquestionable. But upon what facts and documents has he made that opinion? Evidently he must have come to it upon the reports of his inspectors. Now do you know what they have reported? At Bordeaux, of 1,500,000 kilograms of meats, they found only 21 pieces infected, which represents a proportion 0.016 per cent. Why does not the minister adopt the suggestion of creating a commission composed of competent men, to which will be intrusted the duty of determining whether or not the small proportion of trichinæ found in the American porks is dangerous after remaining three months in salt. Under those conditions trichinæ are absolutely inoffensive if slightly cooked. In your answer you have not pointed out one single case of trichinosis; you have only opposed an obstinate resistance to the desire of commerce, and I can add that you have refused to enlighten us by means of a scientific commission.

Mr. TIRARD replied that this scientific commission exists in the committee of hygiene whose members have been appointed by the President; that he can rely also upon the discussions which have taken place at the academy of medicine. Of course there are controversies upon the subject, but the Government can not wait until all the physicians agree in this respect. Mr. Tirard then said that this very morning he had received from Bordeaux the information that the day before a notable quantity of trichinæ had been detected in American meats. He concluded as follows: As for the revoking of the decree, I repeat that when it shall be found practicable to establish, not only at Havre, but at other ports, and on the frontier, a very complete service of inspection, giving all the necessary guarantees, I will be able to propose to the President to revoke that decree which has been issued, I must say again, against my desire, and only to secure public health.

No. 27.

Mr. Ciceron to the Secretary of State.

No. 62.] UNITED STATES CONSULATE,
Martinique, May 27, 1881. (Received June 13.)

SIR: I have the honor to forward herewith for your information a copy of the official newspaper of this colony, containing the promulgation in Martinique of the decree of the French Government of February

18 last, prohibiting the importation into any part of the Territory of the French Republic of salted pork from the United States of America.

I am given to understand that while the prohibition extends to sugar-cured hams, it does not extend to lard. I may mention that, though the home government issued their prohibitive decree in the middle of February last, and it is to be assumed that the alleged facts on which the decree is based must have begun months before, it is only on the 25th instant that the law came into operation here.

In the interval the people of the colony have been consuming large quantities of American pork with no more ill effects than they had experienced during the many preceding years in which they had used this product as a principal article of their daily and principal food.

Waiting for orders from the Department for action on this subject,

I have, etc.,

JOHN T. CICERON,
Vice-Consul.

[Inclosure in No. 62.—Translation.]

[Extract from Les Antilles of May 25, 1881.]

It may be remembered that about the beginning of March we published a decree of the President of the French Republic prohibiting the importation of salt pork from America into any territory of the Republic. A little later we further informed our readers that in consequence of representations from the metropolitan ports the Government appointed a commission for the inspection of pork not infected with trichinæ, in order that it might be admitted, per exception, for consumption; in a word, leave was granted to make selections by means of examinations and analysis.

After a delay of nearly two months the Moniteur de la Martinique has at last published the decree prohibiting the salt meat importation, and as said publication is not followed either by any explanation or by any further administrative decision, we must conclude that the prohibition is absolute, whether the meats are or are not infected with trichinæ. It would seem to us, however, that, as the administration published the decree of February 10 so completely to suit its own convenience, there was ample time to organize a commission similar to that in the metropolis for the inspection of American meats and only to prohibit such as are really dangerous. We hope, however, that this oversight will be speedily corrected; if not, it will most certainly give rise to numerous and pressing demands and objections.

No. 28.

Mr. Blaine to Mr. Noyes.

No. 379.] DEPARTMENT OF STATE,
Washington, June 8, 1881.

SIR: Your late dispatches have amply shown your earnestness in carrying out my instructions in the sense of endeavoring to dispel the strange misapprehensions which seem to have possessed the mind of the French Government respecting the sanitary character of American exportations of cured and packed pork. On the other hand, I have lost no fitting opportunity of fortifying your position by such instructions, by mail and telegraph, as seemed called for by the singular course of French legislation in practically prohibiting imports of this class into France, and by the unfounded and ascertainedly erroneous statements made in high places, even, touching the alleged noxious character of American hog products.

From the outset, all the facts accessible to its closest scrutiny convinced this Government that the action of that of France in this respect was both mistaken and wrongful. But, not satisfied with this patent knowledge, it lost no time in instituting a most searching investigation for the ascertainment of the truth or falsity of the state of things alleged to exist in this country, and upon which the decrees of the French Government restrictive of importations of pork purported to rest. The result of its investigation is now set before you in the accompanying report of the officer detailed by this Department for the purpose.

It is superfluous to add argument to the cogent statement of facts now made. Their presentation in this manner, and supported by strong documentary evidence, satisfies this Department of the entire justice of the ground it has heretofore taken in denying, and causing to be denied, the truth of the malicious rumors to which authoritative currency has been given in foreign countries.

The Government of the United States will yield to none in its earnest desire to accomplish all which legislation or executive action can do to protect the public health. Had the result of its preliminary or later and more searching investigations given even the slightest color to the wild statements that American pork was a means of disseminating disease and death at home and abroad, no admission would have been too frank, and no restrictive measures within the power of this Government too urgent to expose and check the evil. Its duty to foreign countries in matters of sanitary precaution is no less a subject of jealous concern than its corresponding duty to its own citizens. And, on the other hand, it is equally its duty and grave responsibility to watch over the interests of its producers and exporters when their industries are paralyzed by false reports and popular alarm touching the supposed injuriousness of their products to the public health.

This responsibility becomes still more grave when a friendly foreign state, unwittingly or mistakenly, lends its powerful aid to the spreading of a spirit of distrust so directly ande wll-nigh irremediably disastrous in its effects upon legitimate and long-established trade as has been the action of the Government of France.

You will at once communicate copies of the inclosed report to Mr. Barthélemy St. Hilaire, with such observations of your own as may tend in your judgment to emphasize and confirm its full refutation of the injurious statements concerning the existence of communicable disease and parasite germs in American pork, under conditions noxious to public health. You will say that this Government expects from that of France no less careful and earnest disposition to accept the truth of the matter in an impartial spirit than has been shown here; that the evidence so diligently sought and now formally presented is regarded as convincing proof that exaggeration and misstatement, often from interested sources, have been only too successfully combined with popular ignorance and apprehension to the injury of one of the greatest and most wholesome branches of the export trade of this country; and that we deem ourselves rightfully entitled to a prompt and effectual modification of the attitude which the French Government has assumed with respect to this class of exports from the United States. You will advert to the unfortunate effect which the course of the French Government has had in influencing the action of other European Governments; and will intimate our just expectation that the example of France in correcting the error will be no less signal. And you will especially acquaint the minister of foreign affairs of

France with the deep regret which the Government of the United States would feel if its honest and frank remonstrances, backed as they now are by irrefragable facts, should fail to induce the French Government to rescind its prohibitory action, and so constrain a resort to the painful expedient of retaliatory measures on staple exports from France.

You may read this instruction in your discretion to Mr. Barthélemy St. Hilaire, and, should he so desire, you may give him a copy of it.

I am, etc.,

JAMES G. BLAINE.

No. 29.

Mr. Blaine to Mr. Noyes.

No. 380.] DEPARTMENT OF STATE,
Washington, June 8, 1881.

SIR: I transmit with to-day's mail a package containing 100 copies of the Department's report on American pork, referred to in my No. 379, of this date.

You will lose no time in having it translated, with so much of the accompaniments as may seem necessary, and in giving it the widest publicity. You will render a separate account for the expense which may be properly incurred.

I am, etc.,

JAMES G. BLAINE.

No. 30.

Mr. Bridgland to Mr. Hitt.

No. 245.] UNITED STATES CONSULATE,
Havre, June 14, 1881. (Received June 29.)

SIR: When the unwarrantable order of the French secretary of the interior and commerce, prohibiting the further importation of salt American pork into France, was issued on the 18th of last February, regardless of contracts then existing between the merchants of the two countries, I saw at once that the order could not fail as it then stood to create great difficulty with the pork packers, bankers, and in fact every interest in our country connected with that staple, so I at once telegraphed the Department:

> French *Journal Officiel*, this date, publishes decree forbidding at all ports of entry in France the importation of salt pork from the United States, which has caused consternation among dealers in American preduce here.

At the same time I telegraphed General Noyes, our minister at Paris, as follows:

> French decree forbidding the importation of salted pork from the United States is simply monstrous. I beg you let me suggest your immediate protest against this decree.

I also saw some of the leading dealers in hog product, who are members of the merchants' exchange, and urged them to send a committee by order of the board of trade to Paris, for the purpose of meeting the secretary and having the order rescinded. This suggestion of mine was complied with, and Mr. Felix Faure, a merchant of high standing,

and one of the judges of the tribune of commerce of Havre, was made chairman of the delegation. Upon his arrival at Paris with his delegation he sought an interview with the secretary, who refused to see him and his delegates on the ground that the sanitary condition of the people of France was paramount to the commercial interests that he and his delegates represented; which fact was telegraphed to the chamber of commerce here.

I at once took the first train for Paris, and had an interview with General Noyes, who met me in a most energetic and intelligent manner, and at once put himself in communication with the State Department and the French secretary of commerce; he fully agreed with me as to the unwarrantable order, and has, in my opinion, done everything in his power to have it rescinded. I think the energy shown in the matter at that time, say on the 21st day of February, resulted in the rescinding of that part of the order that was without precedent, which was the forbidding of merchants of France complying with their telegraphic and written contracts with merchants of the United States.

I have watched with interest and care the manipulation that has been going on in Havre for the last three months, under an order of inspection with microscopes.

The first order was given to the sous préfet, Mr. Joucla Pelous, to select veterinary surgeons to make inspection, which lasted only about three or four weeks. As these horse-doctors did not report enough trichinæ to satisfy the department at Paris, they were all dismissed by order of the secretary, and a delegation of professional scientists sent here from Paris and placed in the headquarters of the sous préfet, where little slips of hams and shoulders were handled under the microscope to prove that there was the large percentage of 25 or 30 per cent. of American salt meat containing trichinæ. The sous préfet told me in the presence of others that when one ham or shoulder was affected with trichinæ in a case, they condemned the whole case; and, as the cases contained from 300 to 400 pounds, with 25 to 30 pieces, and from hogs perhaps of four or five different States, as the meat was principally from Chicago, and Chicago being the great pork-packing center of the world, I thought this inspection was as unjust as the original order of the secretary of the interior and of commerce. He said: "This meat that has passed this inspection here you complain of, will have to pass an inspection in the interior before it goes into the hands of the consumer." My reply to this was that such treatment of the subject was not even good nonsense; that the original order was much more respectable than the attempted indorsement to be made by this false treatment of the affair.

I called upon the sous préfet last week, and asked him if he was still condemning a whole case, containing 25 to 30 pieces, because one piece contained evidence, as he claimed, of trichinæ. He said, "No"; that he had used his influence with the department, after his interview with me some weeks ago, to inspect every piece in the box; but he further said, with a shrug of the shoulders, "The result is the same; there will be from 25 to 30 per cent. of the meat we have inspected condemned in consequence of trichinæ."

So the Department may be assured that that is the standard to be fixed in the report of the French Government, if not higher, and that there would be no backdown therefrom, unless, indeed, the reduction in the stock of American salt pork, as shown at this port, from 14,000 packages on the 1st of June last year to 2,500 packages on the 1st of June this year (and but for the delay of the delivery of this meat in con-

sequence of this false inspection, there would not be 50 cases of salt meat in this port to-day), should bring about a reconsideration of the subject.

The price has gone up within the last month 60 per cent.; and before the order is rescinded, if ever rescinded, the working people of France outside of the farming interests will rebel, as they are now doing in a quiet way, against prices which are to protect two-sevenths of the population of France, who are engaged in French farming products, when the five-sevenths are to pay for that protection.

Meetings have already begun among consumers, consisting of mechanics and laboring people of France, in protest of the order, and thousands of working people of Havre have signed a petition asking for its rescinding. Beef in the markets here has advanced 25 per cent. in the last six weeks; poultry and other articles of flesh-food proportionately. The sanitary interest manifested by the secretary, in my opinion, has nothing to do with this business, as all intelligent people in and out of the United States should know, for from the landing of the first African slaves in our country they have been fed upon corn bread and salt pork almost to the entire exclusion of other animal food. These poor slaves worked upon this kind of food from ten to twenty hours out of the twenty-four, at the point of an overseer's lash in many instances, and at the same time, as a rule, lived much longer than their masters, who fared sumptuously every day. In fact, there is scarcely a family in the United States to-day that does not eat more or less of the hog product every week, and where can such a race of fifty millions of people be found on the face of the earth outside of our own magnificent country?

If the French people could have been furnished with substantial nutritious meat as our own have been for the last hundred years, it is quite evident that the French Government would not have to reduce its standard every five or ten years in order to get the men to fill up its ranks in the French army. More French people have died in one week for the want of this nutritious food than have ever been made sick by its use in one hundred years, so it is easily seen by any sensible person that the sanitary condition of France had nothing to do with this nonsensical order. As France has more gold than any nation of the world, she proposes to keep it and stop the balance of trade that is now in our favor, and in the next place to gratify the demands of the farming interests by breaking down the competition with their farm products.

It seems to me that our remedy consists in reprisal unless this unreasonable order is rescinded before the sitting of our next Congress. There is not 10 per cent. of wines imported into the United States from France that are really pure wines, as I am informed. There is scarcely a steamer coming from Spain to this port that does not bring a cargo of cheap Spanish wines that are compounded and shipped as genuine French wines. Log-wood is used by the ship-load in the manufacture of *vin ordinaire*. With a severe inspection upon French wines, as the French are making upon our American salt pork, there would not be 10 per cent. of the wines admitted into our ports. Why should we not exclude French silk fabrics as the French exclude our cotton fabrics? They can not exclude our raw cotton without having the grass grow in the streets where the cotton factories are established; there are a hundred other articles that France produces and ships to us, while she excludes a hundred and thirteen articles of our production, and will not even admit them under a tariff; among them, plated silver-ware.

Heavy tonnage dues on French ships would hurt her badly just now, while she is lavishing her money on ship-building and ship-running in

order to build up her mercantile marine, and she could not hurt us much in retaliation, as we have no steamers running to France and but few sailing ships.

I am, etc.,

J. A. BRIDGLAND,
United States Consul.

No. 31.

Mr. Langlois to Mr. Hay.

[Extract.]

UNITED STATES COMMERCIAL AGENCY,
St. Denis, Réunion, June 15, 1881. (Received July 23.)

SIR: * * * * * * *

I have the honor to inclose herewith a printed copy of a decree of the government of this colony, dated May 7th last, and published in the official and all local newspapers, by which the public are warned that the importation into this island of salt pork—being the produce of the United States—is strictly prohibited.

Respectfully referring the said decree,

I have, &c.,

A. LANGLOIS,
United States Commercial Agent.

[Inclosure.—Translation from Le Moniteur de la Réunion.]

Decree of the 7th May, 1881.

We, the governor of Réunion Island,

Considering article 9 of the decree of the Senate of May 3, 1854;

Considering the ordinance of August 21, 1825;

Considering the deliberations of the chamber of commerce in its session of 14th April, 1881;

Considering the notice of the board of hygiene and public health, under date of 27th April, 1881;

Considering that a decree of the President of the Republic, of the 18th February, 1881, has prohibited the introduction into France of food products of American salt pork on account of its being notoriously infected with trichinæ;

Considering that it is necessary to take the same precautions to secure the colony against trichinosis;

Upon the report of the director of the interior.

The privy council, having deliberated, we have decreed and do decree:

ARTICLE 1. The importation into the colony of food products of salt pork coming directly or indirectly from the United States of America, or from places from which importation is not allowed, is prohibited until otherwise ordered.

2. Food products of salt pork already introduced and not yet delivered for consumption shall continue to be allowed the privilege of the town warehouse, but upon condition of re-exportation. Packages containing these meats shall be sealed up with the leaden stamp of the customs.

3. The director of the interior is intrusted with the execution, etc.

No. 32.

Mr. Blaine to Mr. Noyes.

No. 384.] DEPARTMENT OF STATE,
Washington, June 17, 1881.

SIR: I have to acknowledge the receipt of your dispatch No. 475, of the 27th ultimo, in reply to the telegram of the Department of the 24th ultimo, in reference to certain published statements alleged to have been made by the minister of commerce on the subject of trichinæ in America.

In reply, I have to say that the Department learns with satisfaction that Mr. Tirard, the minister of commerce, did not make the statements attributed to him, and that it seems probable that the decree prohibiting the importation of American pork into France may soon be revoked.

I am, etc.,

JAMES G. BLAINE.

No. 33.

Mr. Noyes to Mr. Blaine.

No. 483.] LEGATION OF THE UNITED STATES,
Paris, June 23, 1881. (Received July 6.)

SIR: I have the honor to inform you that your dispatch No. 379, of date June 8, 1881, reached this legation yesterday, the 22d instant, and that I immediately prepared a note to the minister of foreign affairs, of which a copy is herewith inclosed. This note, together with two copies of the report on American pork, sent by you, I forwarded to Mr. B. St. Hilaire, by Mr. Vignaud, secretary of legation, who was instructed to request for me an interview with the minister. Accordingly I called by appointment at the foreign office at one o'clock to-day, and had a full and frank conversation with Mr. St. Hilaire.

I represented to him that my Government was getting impatient at the long delay in revoking the prohibitory decree; that the interests involved were so great, and the injury inflicted by the action of the French Government upon the commerce of the United States was so disastrous and widespread, that the public sentiment of my country demanded such action on the part of the Government at Washington as would effectually protect the interests of the American people. I more than intimated that unless this pork decree was revoked my Government, however reluctantly, might be compelled to resort to retaliatory measures. I said that I only reflected the sentiment of my Government when I assured him I should deeply regret such necessity. I impressed upon Mr. St. Hilaire the desirability of an early response to the demand contained in your dispatch, which was read to him in French, and copies of which, in both French and English, I left with him at his request. Much more was said which it is not necessary here to repeat.

The minister seemed to be profoundly impressed with the gravity of the subject, and said that he fully appreciated the importance and significance of your dispatch. He assured me that copies of the papers and documents presented to him would be sent to the minister of agriculture and commerce this afternoon, and that he would confer with

him in person not later than to-morrow, with a view of finding some satisfactory solution of this troublesome question, which he earnestly hoped to reach; that serious consideration would be given to the demand of my Government, and that I should be informed of the decision reached at the earliest moment possible.

Mr. St. Hilaire asked me if I would like to confer personally with Mr. Tirard, minister of agriculture and commerce, as to the attitude of my Government. I answered that I did not care to do so; that the question had now reached that stage where I preferred to communicate with the minister of foreign affairs only.

The report forwarded by you is being translated, and unless the necessity for such a step shall be removed, I propose to have the report, or the more material points of it, printed in French, and distributed where it may seem most desirable to correct an erroneous public sentiment.

I have, etc.,

EDWARD F. NOYES.

[Inclosure in No. 483.]

Mr. Noyes to Mr. St. Hilaire.

LEGATION OF THE UNITED STATES,
Paris, June 22, 1881.

SIR: I have the honor to inform your excellency that I have this day received an important dispatch from the Hon. James G. Blaine, Secretary of State, at Washington, regarding the matter of decree of your excellency's Government prohibiting the importation into France of American pork.

I am instructed to say that immediately after the publication of the decree in question the Government of the United States took earnest and efficient steps to ascertain faithfully and impartially the truth regarding the condition and character of American pork as an article of food, with a view to adopting such measures as might be deemed necessary to insure life and health, in case the facts were found to be as set forth in the report upon which the prohibitory decree of your excellency's Government professed to be based. It was apparent from the outset that your excellency's Government had been misinformed, and that in consequence its action had been mistaken and wrongful to the Government and people of the United States. Recently, however, a more searching and careful investigation has been made by a most competent officer detailed for this purpose by the State Department, the result of which is set forth in the pamphlet, two copies of which I have the honor to inclose herewith to your excellency.

From what appears in this document, and otherwise, my Government is satisfied of the entire justice of the ground it has heretofore taken in denying the truth of the malicious rumors to which authoritative currency has been given in foreign countries. It considers it absolutely certain that there is no disease or infection pertaining to American pork rendering it dangerous or injurious to life or public health. On the contrary, my Government feels perfectly assured that the pork product of the United States is an innocent and healthful article of diet, in almost universal use, and nowhere with disastrous effects.

The honorable Secretary of State directs me to express the hope and belief of my Government that your excellency's Government will consider the subject with the same desire to know the truth, and to act upon the same when ascertained, that has animated the Government of the United States.

The prohibitory action of the French Government has been adopted in other countries, and it is probable that the limit of disastrous effects has not been reached. The action of your excellency's Government is calculated to and does discredit one of the most important of American industries. The revocation of the decree of the French Government would undoubtedly be followed elsewhere as its unfavorable action has been. A serious blow has been inflicted upon American trade and commerce, and, as my Government believes, without good and sufficient cause, and it is earnestly hoped that, considering the two great Republics of the world, France and America, have so long entertained cordial and intimate relations, your excellency's Government will consider the subject in question in a spirit of friendliness and accommodation.

It is the plain duty of all Governments to guard and protect the interests of their people, while recognizing their obligation to neighboring and friendly nations. My Government is not unmindful of this duty, and in the interest of the American people it protests against a decree which it can not but regard as arbitrary and unjust, although adopted upon information believed at the time to be reliable, but which subsequent information has failed to accredit.

Four months have now passed since the decree was promulgated. The loss already occasioned to American trade is irreparable, but the future is important. I therefore beg your excellency to inform me at the earliest practicable day as to what is the final determination of your excellency's Government in order that the Government and people of the United States may be left no longer in doubt.

The report herewith inclosed will be translated into French at the earliest moment possible, and copies will then be forwarded to your excellency.

I avail myself of this occasion, &c.,

EDWARD F. NOYES.

No. 34.

Mr. Pomeroy to Mr. Blaine.

No. 495.] LEGATION OF THE UNITED STATES,
Paris, July 23, 1881. (Received August 6.)

SIR: Referring to the dispatch No. 483, dated June 23, 1881, addressed by General Noyes to the Department of State, and relating to revoking by the French Government the prohibitory pork decree, I have the honor to transmit herewith a copy of the answer of Mr. B. St. Hilaire, together with a translation.

I have, &c.,

G. P. POMEROY.

[Inclosure in No. 495.—Translation.]

Mr. B. St. Hilaire to Mr. Pomeroy.

PARIS, *July* 19, 1881.

SIR: I had hastened to call the attention of the minister of agriculture and of commerce to the new dispatch which General Noyes did me the honor to address me regarding the measures adopted in France, in order to prohibit the importation of salt pork of American origin.

Mr. Tirard has just intimated to me the observations which this communication has suggested to him.

In the first place, the Government of the United States appears to attribute the measures in question: 1st. Either to incorrect reports or to exaggerated valuations, coming from interested persons. 2d. Or to popular apprehensions. In this respect the minister of commerce recalls to mind that, on the contrary, it is only in consequence of the most serious investigations made by men, neither whose knowledge nor honorable character could be questioned, that the Government of the Republic believed it had to adopt the decree of last February.

It was necessary to take into consideration, at the same time, the requirements of the public health and the legitimate transactions of commerce. The French Government has striven to conciliate as much as possible these two interests by organing at Havre a laboratory for inspection.

The salt meats which were in transit at the time of the signature of the aforesaid decree were received in France on condition they should be previously examined by the microscopists of the laboratory at Havre and acknowledged exempt from trichinæ. Now, microscopic researches made in this laboratory have confirmed the existence of numerous cases of trichinæ in the larger portion of salt meat of American origin which have been submitted to inspection. In the face of these facts, mentioned in official reports, it seems difficult to deny the existence, in a large number of American hogs, of a disease communicable to man, and to dispute, consequently, the fitness of the provisions which were made the subject of the decree of the 18th of February.

The Chamber of Deputies has, besides, given its approval to these provisions, and the Government only has its wishes carried out by maintaining, until further disposi-

tion, the decree of prohibition. It does not the less pursue the study of the means to ameliorate the actual situation by the organization of a service of general inspection, to be applied not only to American salt meats, but to all meats of foreign origin. This service, Mr. Tirard remarks, would have a very appreciable advantage for importers. Indeed, when the local service of inspection which the municipalities have the right to organize in order to secure the healthfulness of the products of consumption, would exercise its control, it would no longer, but by accident and in very rare instances, have the opportunity to seize and destroy, as unhealthy, meat which had already paid the custom dues. If, as that appears probable, one succeeds in finding a satisfactory mode for inspecting meats of every origin, this general service would relieve commerce of certain difficulties.

Finally, it is to its very deep regret that the Government of the Republic has found itself under the necessity, in order to protect the public health, to adopt a measure of prohibition, which, for the moment, caused unavoidable trouble in American meat transactions between France and the United States. But it is confident that the provisions which it has hastened to adopt to modify the rigor of this measure, and those of which it is seeking the realization, must give every satisfaction, as it deeply desires, in the interests of this international commerce. Far from causing an obstacle there, these measures would rather tend to develop it by securing the verification of the good quality of merchandise, and by removing in this way the suspicions of which certain ones of these commodities were the object on the part of consumers.

I beg you, sir, to have the kindness to communicate these diverse considerations to the Government of the United States, which I am pleased to hope will appreciate their value and conciliating character.

Accept, sir, the assurance of the most distinguised consideration with which I have the honor to be,

Your very, &c.,

B. ST. HILAIRE.

No. 35.

Mr. Blaine to Mr. Morton.

No. 12.] DEPARTMENT OF STATE,
Washington, August 9, 1881.

SIR: I have to acknowledge the receipt of Mr. Pomeroy's dispatch No. 495, of the 23d ultimo, transmitting a copy of a note received by him from the minister of foreign affairs of France as to the alleged results of the inspection of American pork by the French authorities and intimating that modifications will be made in the decree issued in February last, in relation to the importation of American pork into France.

I have read with surprise the statement in Mr. St. Hilaire's note to the effect that microscopic researches made in the laboratory at Havre "have confirmed the existence of numerous trichinæ in the larger portion of salt meat of American origin."

This statement is so much at variance with the results of the extended observations on this subject which have been made in this country, that it is believed by this Department that the conclusions arrived at by the French authorities at Havre must be owing to inaccurate inspections, or the result of accidental circumstances. I will therefore thank you to adopt judicious measures to inform yourself as to the accuracy of the inspections made by the French authorities, and at the same time to continue the efforts which your legation has heretofore been instructed to make, with a view to having all unnecessary restrictions upon the importation of American pork into France removed.

I am, &c., JAMES G. BLAINE.

No. 36.

Mr. Blaine to Mr. Morton.

No. 19.] DEPARTMENT OF STATE,
Washington, August 18, 1881.

SIR: At the time of my entrance upon the duties of this Department in March last, the question whether this Government deemed it an opportune moment for a negotiation with a view to modifying the present treaty stipulations regulating commerce between the United States and France, as presented in Mr. Noyes' dispatch, No. 410, was under consideration by my predecessor and it at once engaged my earnest attention.

In the existing system of tariffs imposed upon importations by the United States and France, there are many features which might be modified with mutual advantage. A revision of the tariff of each with reciprocal adjustments of the duties imposed might do much to relieve trade from burdens which are not necessary, facilitate intercourse, and promote friendly feeling between the two nations.

The policy of this Government has, however, been averse to complicating its revenue system by treaty engagements with various powers, establishing separate conventional tariffs applicable only to importations from particular countries.

The legislative power has preferred a uniform tariff, applicable alike to importations of similar articles from all nations. As Congress meets every year, the provisions in detail of our tariff laws can at any time be changed as circumstances prove that alteration is needed; wherea , a conventional or treaty tariff, establishing special rates of duty with a particular country and requiring great nicety of adjustment in reconciling different interests and avoiding unfairness in dealing with all the branches of trade, would not be within the immediate control of Congress nor flexible to the influence of public opinion, representing pubile interest. Imbedded in solemn treaty stipulations which are usually made with a view to long continuance, no change could be effected except by the slow process of diplomatic negotiation.

The advantages that might be secured by changes in the present commercial restrictions, which would place trade between the United States and France upon easier and more satisfactory conditions, are so obvious in certain points of view, that I thought it would be well to enter upon the discussion of the subject with a view to separating those commercial interests which are continuing, and which, being of a permanent nature, are susceptible of comparatively permanent regulation, from those more liable to change, and endeavor to come to an accord in regard to the duties to be imposed by each country in a treaty which would go into effect when a law to carry it into operation should have been passed by Congress, to which body the Constitution of the United States confides "the power to lay and collect duties" and "to regulate commerce with foreign nations."

At that moment, however, arrived the intelligence that the French Government had by decree prohibited the bringing of American pork into France, on the ground that it was affected by trichinæ to such an extent as to be dangerous to the public health. Information was at once collected by this Government, which it is believed proved in the most conclusive manner that the statements circulated in Europe concerning the prevalence of trichinæ in American pork were without foundation, and this information was early brought to the notice of the

French Government. Still that decree during many months has been maintained in force.

It has tended to rapidly contract commerce with the United States, has deranged business, and has led to an impression throughout this country that is not conducive to the formation, and the successful operation by the aid of Congress, of a treaty to liberate and stimulate the trade of the two countries.

I have waited some time to see whether any indication might be found of a different disposition and that would encourage a hope for substantial results from a discussion of this subject. But so much time has passed that I deem it due to the French Government that it should not longer be kept waiting for an answer to the question propounded through you. I have to request you, therefore, to state to Mr. Barthélemy St. Hilaire that the delay in responding to a question which I found pending was, first, that I might give it that careful consideration demanded by its great importance and the high regard entertained for the Government propounding the question, and second, the causes I have set forth above, and that you inform him that while this Government is earnestly desirous of doing everything in its power to promote commerce and friendly intercourse between the two nations, it is constrained to say that it deems the present moment inopportune for the negotiation for a treaty of commerce modifying the present tariffs of the United States and France with a view to substantial changes and permanent results which can only be secured by the co-operation of Congress.

I am, &c.,

JAMES G. BLAINE.

No. 37.

Mr. Morton to Mr. Blaine.

[Extract.]

No. 48.] LEGATION OF THE UNITED STATES.
Paris, October 6, 1881. (Received October 21.)

SIR: I am advised unofficially that the minister of agriculture and commerce has at last determined to establish a certain number of laboratories for the purpose of inspecting pork with the microscope. These laboratories are to be located at certain ports of entry, through which all foreign pork intended for France will have to pass, whether coming from the United States or elsewhere. It is not believed, however, that any of these laboratories can be established before some time, owing to the difficulty of finding a sufficient number of men competent to make an efficient use of the microscope.

From what I understand, this step of Mr. Tirard will not give much satisfaction to the French importers of American pork, and I must say that I cannot see the object of the French minister of commerce in persisting in this unjustifiable war on American pork.

If there is a fact well established now, even in France, it is that trichina, which may be found in American pork, is absolutely inoffensive, the salt killing the animalcule or reducing it to such a state that the slightest cooking achieves its destruction. French scientists of the highest grade and reputation, such as Messrs. Collin, of the great veter-

inary school of Alfort, Rebourgeon, a well-known veterinary surgeon, formerly inspector of the slaughter-houses of Paris, Pouchet, professor of biology at the museum of Paris, Peunetier, professor at the museum of Rouen, Zundel, of Strasburg, Dr. Davaine, of the Academy of Medicine, agree with the statement, which is not contradicted by any one having their scientific training and notoriety. * * *

I have, &c.,

L. P. MORTON.

No. 38.

Mr. Morton to Mr. Blaine.

No. 54.] LEGATION OF THE UNITED STATES,
Paris, October 13, 1881. (Received October 31.)

SIR: Referring to my dispatch No. 48, of date October 6, 1881, I have the honor to report that in an interview which I had yesterday with Mr. B. St. Hilaire, minister of foreign affairs, I called his attention to certain articles which had recently appeared in the French papers with reference to the appointment of inspectors of American pork, and expressed a desire to learn what, if any, action had been taken or decided upon by Mr. Tirard, minister of agriculture and commerce.

I referred to the fact that the decree prohibiting the importation of American pork had now been in force for more than eight months, and stated that the American Government and people were of opinion that such decree had been issued by the French Government under a misapprehension of the facts in the case, as I claimed had been clearly established by the result of your investigations, reports of which had been submitted to him.

I also stated that the method of inspection which it had been reported that the minister of agriculture and commerce had decided to adopt, was not, in my judgment, a feasible one, for the reason that the delay which would necessarily be caused by such proposed examination would almost if not entirely preclude the importation of American pork.

Mr. B. St. Hilaire replied that he was not aware of the present intentions of his colleague, Mr. Tirard, but that he would make it his business to see him at once and discuss the matter, and he would communicate to me the result of his conversation.

I urged him to represent to his colleague that there was but one practical mode of putting an end to this troublesome matter, which was to abrogate the decree of prohibition.

The minister assured me that he had always been in favor of a solution of this difficulty which would give entire satisfaction to the United States Government, but that the question, though political in one respect, had a practical and technical side upon which he was not competent to pass judgment. He admitted, however, that he was favorably impressed by my arguments, and promised that he would ask and strongly recommend the repeal of the decree.

I have, etc.,

L. P. MORTON.

No. 39.

Mr. Blaine to Mr. Morton.

No. 48.] DEPARTMENT OF STATE,
Washington, November 2, 1881.

SIR: I have to acknowledge the receipt of your dispatch No. 54, of the 13th ultimo, in which you give an interesting report of your interview with Mr. St. Hilaire, minister of foreign affairs of France, with reference to the decree prohibiting the importation of American pork into the French Republic.

Your course with reference to this matter meets with my hearty approval,and I hope you will avail yourself of every favorable opportunity to press the subject upon the consideration of the French Government, especially as the very distinct promise of Mr. St. Hilaire to move his colleague, Mr. Tirard, to repeal the objectionable decree affords ground for the hope that a change for the better is taking place in the views of the French authorities in regard to the question.

I am, etc.,

JAMES G. BLAINE.

No. 40.

Mr. Morton to Mr. Blaine.

No. 69.] LEGATION OF THE UNITED STATES,
Paris, November 7, 1881. (Received November 23.)

SIR: Referring to my dispatch No. 54, of date October 13, 1881, stating that I had called on Mr. B. St. Hilaire to ascertain what action Mr. Tirard, minister of agriculture and commerce, had taken in relation to American pork, I have now the honor to transmit a copy and translation of a dispatch of the French minister of foreign affairs giving the information desired. Mr. Tirard says, through his colleague, that his department has prepared a bill to give the authority of law to certain measures which will render possible the revocation of the decree of prohibition.

I have been unable to procure a copy of the bill, but I am informed that it will not tend to facilitate the importation of salted meats from the United States. One of the largest French importers of American meats, who has had the privilege of glancing over the bill, says that the measures proposed are so vexatious that he would prefer the decree of prohibition to the proposed bill.

It will, I fear, be impossible to secure from the present minister of agriculture and commerce the abrogation or any satisfactory modification of the decree of February 18, 1881.

I have, etc.,

L. P. MORTON.

[Inclosure in No. 69.—Translation.]

Mr. B. St. Hilaire to Mr. Morton.

PARIS, *November* 3, 1881.

SIR: You have done me the honor, in a recent interview, to express the desire to know, as soon as possible, the result of the examination of the question of the importation of American salted meats into France by the proper administration.

I have hastened to recommend this matter to the particular attention of the minister of agriculture and commerce. In reply to this communication, Mr. Tirard declares that his department studied the measures destined, whilst protecting the interests of public health, to render possible the revocation of the prohibition pronounced by the decree of the 18th of last February; but it is necessary that these measures be sanctioned by a law, the draft of which will consequently be submitted very shortly to the notification of parliament.

I am pleased, sir, in referring to the letter which I had occasion to address on the same subject to Mr. Pomeroy, the 19th of last July, to renew to you the expression of the ardent desire which the French Government experiences to give, in this circumstance, every satisfaction to the legitimate interests of international commerce. The economic views of the Government of the Republic can only, besides, contribute to favor, between France and the United States, the development of their trade; but he regrets to state that the custom-house legislation of the Union opposes to it very numerous difficulties. He would be happy, I hardly require to say, to meet in the Federal Government a disposition which would permit the amelioration, under this head, of the commercial relations between the two countries, and to place them more completely in harmony with the state of their political relations.

Accept, etc.,

B. ST. HILAIRE.

No. 41.

Mr. Morton to Mr. Blaine.

No. 73.] LEGATION OF THE UNITED STATES,
Paris, November 16, 1881. (Received December 12.)

SIR: Referring to my dispatch No. 69, I have the honor to transmit herewith a copy of the bill introduced by the French Government in the Chamber of Deputies for the purpose of organizing a service of inspection for all pork imported into France.

You will notice the vexatious character of the proposed measures.

If this bill becomes law, pork will only be admitted into France at special ports of entry and be examined piece by piece.

Sausages and all preparations of hashed pork will be prohibited. Lard and grease of all kinds, now admitted free of inspection, will be submitted to the same inspection as pork.

There is every reason to hope, however, that the newly-appointed minister of commerce, M. Rouvier, will withdraw this bill, or at least modify it in a more liberal spirit.

I have, etc.,

L. P. MORTON.

[Inclosure in No. 73.—Translation.]

No. 20.

CHAMBER OF DEPUTIES, THIRD LEGISLATURE, EXTRA SESSION OF 1881.

[Appended to the report of the sitting of the 5th November, 1881.]

Draft of a law for the purpose of establishing a service of inspection of pork products of foreign production, whether salted, smoked, or preserved, by whatever process, presented in the name of Mr. Jules Grévy, President of the French Republic, by Mr. Tirard, minister of agriculture and commerce, and Mr. Magnin, minister of finance.

STATEMENT OF REASONS FOR THE BILL.

GENTLEMEN: The pork products sent into France by foreign countries, especially by the United States of America, are, as experiments have shown, often infested by a peculiar parasite, *trichina spiralis* or *trichina*, which is now very properly occupying the attention of the medical profession.

This parasite taken into the human digestive organs in a living state engenders the disease called trichinosis, the frightful effects of which may result in death.

For several years certain European states, desiring to guard against so grave a danger, have entirely prohibited the introduction of American salted meats into their territories. These countries are Austria, Hungary, Greece, Italy, Spain, Portugal, and, with some exceptions, the German Empire. In this last country, moreover, all pork products, whether native or foreign, are subjected to a rigorous inspection.

The government has hesitated for a long time to take similar measures in France, but this course of action has, however, been repeatedly urged upon it, especially by certain general councils of the provinces.

Towards the end of last year and the beginning of this the special inspectors of the city of Lyons and the city of Paris seized considerable quantities of American salt pork infected with trichinæ in such proportion as to leave no room for the slightest hesitation in regard to the course to be pursued. At whatever price, public health must be protected from the peril to which such a condition of things gave rise, and on the 18th of February, 1881, the President of the Republic, on the statement of the minister of agriculture and commerce, issued a decree forbidding for the whole territory of the French Republic the importation of products of salt pork coming from the United States of America.

Nevertheless, in order to treat with all possible consideration the commercial interests affected in the matter, the government authorized the introduction of these commodities in course of shipment and discharge at the time of promulgation of the decree upon the express condition of a preliminary examination by the government agents. Microscopic inspections were begun at the ports of Havre, Marseilles, and Bordeaux. The port of Havre, which alone receives more than two-thirds of the total quantity of American meats imported annually into France, was provided with a laboratory and a corps of experts.

Microscopic investigations carried on in this laboratory with the most improved instruments and by skillful microscopists confirmed the existence of trichinæ in a certain portion of the pork submitted to inspection. The experiment was decisive, and the Chamber of Deputies, before whom the question was brought, gave its approval to the prohibition declared in the interests of public health.

Nevertheless, the government does not seek to conceal the inconvenience which arises in maintaining an absolute prohibition, and the minister of agriculture and commerce has undertaken to find means of reconciling the most important consideration, that of the public health, with those of almost equal importance, the supply of food and the interests of commerce.

Indeed, the consumption of foreign salted meats is a large element in the support of the laboring classes, and the traffic in these salted meats is, besides, advantageous to our merchant marine. The investigations that have been made have shown the possibility of a complete inspection of all preserved pork meats that are brought into France by means of submitting them piece by piece to a microscopic examination, calculated to assure their harmlessness.

The absolute prohibition shall be maintained only in regard to large and small sausages, and bologna sausages; that is to say, meats minced and cut up. In these meats not only are *trichinæ* found in great numbers, but they are manufactured with such carelessness that substances unfit for food are often found in them, and it is impossible to allow them to be introduced for consumption. Hog intestines, imported to be used as outside coverings for these food preparations, shall also be absolutely prohibited on account of the great number of *trichinæ* they contain, and the consequent certainty of their communicating these parasites to healthy and well-prepared meats.

With the exception of these reservations this proposed law has as its object the establishment and organization of an inspection of foreign pork products. A few short explanations will suffice to show the necessity of its provisions.

By Article I, all pork products salted, pickled, smoked, or preserved in any other manner, are submitted to the formality of inspection at the time of their entrance into France.

This provision applies to meats coming from any foreign country. *Trichinæ* in fact are not confined to American salted meats. Authenticated cases of *trichinosis* in Germany show that the pork of that country is also diseased. Moreover, if the meats of any one country were allowed to be imported without inspection, the importers would arrange to have their pork, which came originally from places under suspicion, come through the free country. The only sure means, then, of preserving the public health

is in inspecting all foreign meats, without making any distinction between the places where produced.

Smoking can not, any more than salting, free pork from the dangers arising from *trichinæ*. It has, therefore, been considered necessary to expressly stipulate that the inspection should apply to smoked meats as well as to salted, and to meats preserved in whatever manner they may be. It is necessary to give the obligation of inspection this extended application in order to guard against other processes of preserving which would doubtless be resorted to to escape inspection.

Article 2 of this draft of a law proposes that the points on the frontier and the coast where preserved pork meats shall be admitted shall be determined by a decree of the President of the Republic, issued in accordance with a report of the minister of agriculture and commerce. This provision is similar to that inserted in the law for the sanitary examination of animals. At the present time the government intends to designate for this purpose, on the coast line, Havre, Bordeaux, and Marseilles; and on the frontier, Avricourt and Givet. If experience shows that these points are insufficient, the government will hasten to increase the number in proportion to the needs of commerce and of consumption.

The organization of these laboratories of inspection, the methods of examination, the formalities to be prescribed for importers, the number, duties, and appointment of employés, are questions of detail that we propose to leave to the minister of agriculture and commerce, who shall decide them by his orders. The Chambers shall, however, act upon requests for funds to provide for the expenses of the employés, and for the fitting out of the laboratories.

You will, without doubt, think, with the government, that these expenses should not be charged to the state. All similar expenses of examination, in the case of weights and measures, drug products, live stock, etc., are recovered by the state by means of a special tax. It appears to us that it should be the same in the case of pork products which are offered for admittance into France.

It is not the intention of the government to make this tax to be levied on importers a source of revenue. The tax should be, as far as possible, the exact equivalent of the expenses borne by the state.

We believe that we are maintaining this principle in proposing to levy the tax conformably with the schedule appended to this statement of reasons. This tax, like those relating to the law for inspection of live stock imported into France, shall be payable to the collector of customs. It is hardly necessary to add that, in case experience shows that this tax exceeds the expense borne by the state, the government will hasten to propose a reduction for your consideration.

Finally, the last article of this proposed law declares the penalties against those persons who shall bring into France the prohibited meats, or meats not submitted to inspection, or meats rejected after inspection. These penalties are, moreover, borrowed from the law for the sanitary inspection of animals.

We do not doubt, gentlemen, that the foregoing provisions will receive your high approbation. The government does not believe it to be its duty to follow in the path of certain foreign powers by decreeing an absolute prohibition, but it is none the less profoundly convinced that it is the duty of the state to take the necessary measures to prevent the possibility of meats of foreign production being, in any case, a cause of real danger to public health.

DRAFT OF A LAW.

The President of the French Republic hereby decrees:

The draft of a law in the following terms shall be presented to the Chamber of Deputies by the minister of agriculture and commerce and the minister of finance, who are directed to explain and discuss the reasons therefor:

ARTICLE I. Pork meats of foreign production salted in brine, smoked, and preserved by all other processes may be admitted upon French territory after they have been submitted to a special examination, and declared to be free from *trichinæ* and all other injurious parasites.

This provision does not apply to minced or cut-up pork meats, to large and small sausages, bologna sausages, etc., nor to hog intestines; the importation of these preparations into France is, and continues, prohibited.

Hogs' fat and lard before being allowed admittance into France shall be submitted to the regulations stipulated by section 1 of this article.

ART. II. The points on the frontier and on the coast where the said commodities may be offered for entry shall be decided by a decree of the President of the Republic, issued at the motion of the minister of agriculture and commerce.

The orders of the same minister shall govern the organization of the laboratories of inspection, the method of examination, the formalities to be accomplished by importers, as well as the number, duties, and appointments of the experts and various persons attached to the inspection service.

ART. III. Importers shall pay as inspection duties the following taxes, which shall be paid in advance at the office of the collector of customs:

	Centimes.
Hams (each)	30
Long and short sides (each)	20
Fat backs (each)	20
Shoulders and breasts (each)	10
Fillets in brine (each)	10
Fats and lard (per 100 kilograms)	30

ART. IV. A punishment of imprisonment from two to six months and a fine of 100 to 500 francs shall be imposed: (1) upon persons who shall bring into France minced or cut-up hogs' meats, large and small sausages, bologna sausages, etc., of foreign production, or intestines of foreign production; (2) upon persons who shall import into France hogs' meats of foreign production which have not been submitted to the inspection established by this law, or which have been rejected after examination.

In the two cases above, in addition, the imported meats shall be seized and destroyed.

Article 463 of the penal code is applicable in the cases provided for in this article.

Done at Paris, November 5, 1881.

The President of the French Republic—

JULES GRÉVY.

By the President of the Republic:

The minister of agriculture and commerce,

P. TIRARD.

The minister of finance,

J. MAGNIN.

APPENDIX.

Statement of taxes to be paid as inspection duties by importers of hogs' meats of foreign production.

	Centimes.
Hams (each)	30
Long and short sides (each)	20
Fat backs (each)	20
Shoulders and breasts (each)	10
Fillets in brine (each)	10
Fats and lard (per 100 kilograms)	30

No. 42.

Mr. Blaine to Mr. Morton.

[Telegram.]

WASHINGTON, *November* 21, 1881.

MORTON, *American Minister, Paris:*

See Mr. Gambetta, minister foreign affairs, and ask immediate earnest attention to the practically prohibitory effect of proposed microscopic inspection in detail of American pork, to its great continuing injury to both American and French interests, to the ample proof that it is unnecessary. Add discreetly that an assurance from French Government that prohibition will be rescinded is just now especially desirable and pressing as Congress is about to assemble, and continuance of prohibition will lead to at least defensive if not retaliatory legislation against importations from France.

BLAINE,
Secretary.

No. 43.

Mr. Morton to Mr. Blaine.

[Telegram.]

PARIS, *November* 23, 1881.

BLAINE, *Secretary, Washington:*

Have seen Mr. Gambetta and urged the abrogation of the pork decree. He says there exists serious public apprehension of danger from consumption American pork, which he personally does not share, but finds necessity of some reason for abrogation of decree which would satisfy public, and wished to know if our Government could not inaugurate public inspection of meats for export; this would greatly facilitate satisfactory settlement. He understood other governments had made similar suggestion. He expressed himself as convinced of exaggerated character of supposed danger and as personally favorable to friendly action, but also as obliged to confront prejudice which could not be overlooked.

MORTON.

No. 44.

Mr. Morton to Mr. Blaine.

[Telegram.]

PARIS, *November* 25, 1881.

BLAINE, *Secretary Washington*:

Informed chairman committee of Chamber; says bill for microscopic examination pork will be withdrawn. The training of microscopic inspectors has been suspended.

MORTON.

No. 45.

Mr. Blaine to Mr. Outrey.

DEPARTMENT OF STATE,
Washington, November 25, 1881.

SIR: Referring to the conversation I had the honor to hold with you on Wednesday last in relation to the decree issued by the French Government on the 18th of February, 1881, prohibiting the importation of American pork into France because of the danger to the public health from trichina with which it was infested, I have the honor to recall to your attention some of the salient facts bearing upon this question of maintaining, modifying, or repealing the decree.

The intelligence that such a decree had been suddenly promulgated was received with surprise and regret everywhere in the United States, as it was manifest that it would paralyze an important branch of commerce between the two countries. The surprise was heightened by learning that this hostility was based upon a declaration that it was so infested with trichina as to be dangerous to the public health.

In order to ascertain in the most precise, full, and authentic manner what were the facts, this Government immediately directed the chief officer of the bureau of statistics of the State Department to proceed to those cities which were the principal centers of the pork trade, Chicago and Cincinnati, and investigate thoroughly this great industry through every step, to examine into the methods of raising and feeding, to visit the principal packing establishments, to confer with the officers of the public health, to exhaust every means of arriving at the exact truth with regard to the character of the pork product of the country.

That examination was faithfully made, and the facts, established by abundant proof, were simple and conclusive. American swine are of the best breeds, are fed upon corn—a more wholesome food than is given them in other countries; they are not more liable to disease here than elsewhere, and the percentage infected with trichina is probably less, on account of this superiority of food and breed, than in any other country; packers and curers exercise care and skill that are nowhere surpassed, and the pork selected for the foreign market is equal to the best sold in the home trade. The officers of the public health report trichinosis one of the rarest diseases known, and no case ever known where the meat was cooked. In Chicago but two cases were known in a record of 40,000 deaths, and in both cases the meat was uncooked; in Cincinnati the health officer reported that he had never known a case in that city, where pork is abundant, cheap, and of universal consumption. As a scientific fact, in certain very rare examples, there is such a disease; as a practical fact, as a danger to the public health, it is unknown in this country—the country where more pork to the inhabitants is eaten than in any other in the world; where, in some form, it is upon the table of almost every family every day in the year.

Turning from this country to Great Britain, where the consumption of American pork is the largest among the nations of Europe, we have not found a single case of trichinosis from American pork. The British national habit of always cooking meat before eating it is an absolute safeguard against the possibility of danger, and that government has made no endeavor to prohibit the pork trade, domestic or foreign, as in any degree dangerous to the health of the people.

The Government of Switzerland, after a thorough investigation of the subject, which was ordered at the time of the uneasiness created in the public mind in Switzerland by the prohibition in France, for the proclaimed reason that American pork was dangerous to the public health, determined that the danger was so remote as to be practically imaginary, and that complete security was afforded by simply cooking the meat.

The Government of Belgium, after like examination, came to the same conclusion as Switzerland. In Germany and Austro-Hungary the existence of trichinosis is reported by the authorities to be of rare occurrence, though it is stated that there have been more condemnations of German and Servian swine on account of the presence of trichina than of American.

The habit of eating pork raw prevails among many Germans, and accounts for the causes of the disease sometimes found.

The prohibition of American pork by Austria-Hungary, which is a pork exporting country, and supplies largely to France, following quickly upon the French decree, was in effect of minor importance, inasmuch as American pork is not sent there in large quantities. No case, however, of trichinosis from American pork can be ascertained

to have occurred there—all those reported having arisen from eating the pork of that country, and in each case, uncooked.

If the search is fruitless in this country or elsewhere for any adequate cause for the announcement by the French Government of the dangers to the public health from American pork, and its consequent exclusion from your ports, inquiry naturally turns to France to discover how extensive had been the mortality there from this cause; but I have yet to learn of a single case in France of death from trichinosis arisen from eating American pork.

The one case of which much was said in the newspapers about the time the decree was issued is reported, on good authority, to have been caused by eating French pork.

It was apparent, therefore, that the alarm which had inspired the decree of February 18, had no sufficient basis. The facts in regard to the character and quality of our pork product, as amply shown in the investigation instituted by this Government, and briefly referred to above, were duly laid before the minister of foreign affairs at Paris as early as last May, and it was confidently hoped that, upon recognizing them, that Government would revoke the decree and put an end to the injury inflicted by it upon the common interests of two friendly nations. Still, the decree has been maintained in force with undiminished rigor through nearly ten months, resulting in the destruction of this immense trade between the two countries, lately so flourishing and amounting to over twenty millions of dollars per annum.

Although it may have inured somewhat to the profit of those engaged in pork raising in France and the adjoining countries by excluding a competitor from the market, it has not only inflicted great individual losses upon French and upon American citizens by putting an end to this enormous trade, and raised the price of food to the people of France, especially the poorer classes, but it has also tended strongly to check the growing commercial intercourse, the general interchange of commodities, and the rapidly increasing trade between the citizens of the two republics—a growth which has so long been going on and which has been viewed with the liveliest satisfaction and fostered with assiduous care by this Government. The disturbance of the complex and closely interwoven interests of commerce has extended far beyond the commodity now under discussion.

It is true that some of the indirect results of the accusation of unhealthfulness have been beneficial to the pork product. Packers have exercised more vigilance than ever. Farmers appreciate more than formerly the value of their choice breeds and superior food. No precaution is neglected in preparing for the foreign market, that the article may be ready for the severest test and most rigid inspection of expert judges and watchful rivals.

But these facts, which are widely discussed by the newspapers and the people, have only tended to make the continuance of the prohibition appear more unnecessary, and there has resulted a disposition in many minds towards defensive, if not retaliatory, legislation.

You will bear me witness that I have spared no effort since the announcement of the decree to avert the present situation of this question, which is in so many points of view to be regretted.

This Government has diligently addressed itself to the enlightened judgment of French statesmen by offering all the information which could be obtained to show the needless character and injurious effect of the decree now so long in force, and which, contrary to what we are sure is the sentiment of the French Government and people, has the

air of being unfriendly. Months have passed without a sign of change, save the possible institution of a system of microscopic examination in detail, which will necessarily be almost, if not quite, as prohibitory by its delays as is the decree itself. That system has been repeatedly tried elsewhere, and to some extent in this country, always to be abandoned. In Chicago, after a fruitless examination of ten thousand slaughtered animals in the search for trichinæ it was deemed better to trust to the general protection to be derived from feeding clean, wholesome food, choosing the best breeds of swine, taking care in the selection of those slaughtered, and skill in the handling and curing, than to endure the destructive delays of a microscopic examination of each piece or each animal, which even then did not reach absolute certainty unless every part of each was subjected to the process.

The Congress of the United States is about to assemble, and this Government must make some answer to the demand which the public mind is already formulating for defense of home interests. Before that time arrives, I seize this occasion to again appeal to the judgment of the French Government, with which we are so closely united by inherited friendship, by similarity of institutions, and by community of interest.

Accept, &c.,

JAMES G. BLAINE.

No. 46.

Mr. Blaine to Mr. Morton.

[Telegram.]

WASHINGTON, *December* 2, 1881.

MORTON, *Minister, Paris:*

Ascertain promptly, and advise by telegraph to-morrow, whether and at what time we may expect revocation of edict prohibiting importation of American pork. Important.

BLAINE.

No. 47.

Mr. Morton to Mr. Blaine.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, December 3, 1881.

BLAINE, *Secretary, Washington:*

French Government is desirous of recalling decree prohibitions, but fears Chambers' investigation. Adverse opinion has been manufactured. If assurances were given that some kind of inspection will be established at home this would relieve government here of much embarrassment and give sufficient grounds to recall decree. Under secretary of commerce, who is a deputy, and who has whole matter in charge, intimated that he wants only from us a pretense to justify and sustain recall. I am confident that some assurance on our part that a system of inspection will be established would secure prompt revocation of decree.

MORTON.

No. 48.

Mr. Morton to Mr. Blaine.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, December 4, 1881.

BLAINE, *Secretary, Washington:*

Just had long interview at my house with Mr. Gambetta. He says, although microscopic bill withdrawn, parliamentary commission still exists, and majority of said commission favors retention of decree, but says if United States agree to cause governmental inspection of salted meats for export, with necessary sanitary regulations, and communicate same to him, he has reason to believe it will weaken the present opposition in the Chambers to withdrawal of decree and secure favorable report from parliamentary commission. I believe some such assurance necessary to secure revocation.

MORTON.

No. 49.

Mr. Gifford to Mr. Hitt.

No. 57.] UNITED STATES COMMERCIAL AGENCY,
Nantes, December 9, 1881. (Received January 3, 1882.)

SIR: I have the honor to inclose a letter, which has just been made public, addressed by the chamber of commerce of Nantes to the minister of commerce, urging him not to yield to those who demand the entire abrogation of the existing measures for the prevention of the importation of American pork. As Nantes is the city which has done the most to sustain the agitation which has resulted in the exclusion of American pork, this letter has a certain interest as showing by its frank avowals the real *animus* of the opposition to commerce in American provisions. While the Government bases its measures of exclusion solely on sanitary considerations, the body representing the pork packers of Nantes ingeniously places these considerations in the background, where they belong, and suggests the interests of French pork packers and the vanity of American threats of retaliation as reasons for continuing in some form the present illiberal policy.

I am &c.,

GEORGE GIFFORD.

[Inclosure in No. 57.—Translation.]

Chamber of Commerce to Minister of Commerce.

NANTES, *December* 3, 1881.

SIR: In the course of the session of November 26 the president of the Chamber of Deputies communicated to his colleagues the text of a decree, in accordance with which the bill for the establishment of a service of inspection for pork imported from foreign countries, presented in the Chamber November 5, 1881, by the minister of agriculture and commerce and by the minister of finance, is withdrawn.

The public has regarded this proceeding as a prelude to the abrogation of the decree of February 18, 1881, which prohibited the importation of salt pork from the United States into any part of France. The proposed inspection had a double purpose—that of protecting the public health, and, at the same time, favoring certain private commercial interests which are unfavorably affected by the absolute prohibi-

tion of American meats. We should regret, sir, to see too great consideration accorded to this commercial interest, for, as we shall attempt to show, the decree of February 18 also subserved serious and deserving interests.

Before American salt meats were prohibited by the decree in question they had already been excluded from several European countries, especially from Germany, Italy, Spain, and Turkey. These countries prohibited the introduction not only of American but French pork; not that the latter was considered unwholesome (for it has never been suspected), but because France received similar provisions from America, and a change of barrel and hasty examination would be sufficient to give rise to errors touching the real place of origin of the products presented at the frontier. The states above named prohibited French provisions in order to protect themselves securely against those coming from the United States.

The pork packers of this vicinity have asked us, therefore, to explain to the Government the difficult position in which they are thus placed. Supporting at home the competition of American meats, exempt from custom-house duties—they hardly pay the tax on the salt—and driven from foreign markets by the fear which these very preparations inspire, our countrymen were losing all their markets abroad, while the provisions imported into France from the United States were necessarily to be consumed here, and were breaking down the prices of similar French products. Under such circumstances our packers have been obliged to stop work almost entirely, and the closing of their establishments has caused in this part of the country an embarrassment which has affected several industries as well as our agricultural population. These facts were known and appreciated by your honorable predecessor.

It appears to us desirable that, before complying with the demands made in the interest of the American pork packers and importers, the Government should thoroughly understand the difficulties with which one of our national industries which contributes also to the alimentation of the country is struggling. These difficulties are truly painful. While all French products, and especially alimentary products, are subject to an excessive duty when imported into the United States, is it the proper moment to open wide the French market to similar products coming from that country? The interests of consumers are suggested to justify this anomaly. No one would think of suggesting anything contrary to these interests; but would they, as a matter of fact, be well served by encouragements given to foreign goods which are regarded with distrust by the greater number of European countries, and of which the low price is explained perfectly by their inferior quality?

In such a case it appears to us that the administration can not resign itself to a policy of *laisser faire*, and that it should protect our own citizens by a rigid control against the seductions of low prices which are dangerous to the public health. In the case in question the Government by so acting would no doubt somewhat embarrass the American provision business; but whatever measures it may take can never be tantamount to the extreme protective policy of the Americans, and we have nothing to fear from the retaliatory measures against our commerce which the United States are alleged to have under consideration.

We ask your excellency, then, not to assent to the movement in favor of the abrogation pure and simple of the decree of February 18, 1881. That decree is susceptible of being modified in a liberal sense, and the bill introduced by your honorable predecessor had that purpose in view. Whatever measures are substituted for the provisions of the decree, the Government will take into consideration the various national interests at stake. Those of the public health are here in harmony with those of French business men, of their workingmen, and of the agricultural population. They will certainly not be sacrificed, on the demand of certain importers of American provisions, to the idle fears of retaliation or to the illusory hope of the conclusion of a treaty of commerce with the United States.

No. 50.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, January 17, 1882.

FRELINGHUYSEN, *Secretary, Washington:*

Faure, under secretary commerce, thinks bill introduced in Chamber Saturday will result practically in free admission American salted meats; he had hopes early passage both houses.

MORTON.

No. 51.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 107.] LEGATION OF THE UNITED STATES,
Paris, January 20, 1882. (Received February 3.)

SIR: I have the honor to inclose herewith a copy and translation of a bill, in relation to American salted meats, which was introduced in the Chamber on 14th instant by Mr. Fauer, deputy and under secretary of commerce.

The bill repeals the decree prohibiting the importation of American pork, and provides for its introduction into France upon certain restrictions, which will, I believe, practically result in its free admission.

The minister in presenting this bill explained the reasons which dictated its action.

At the time the decree was issued, anxiety and alarm existed; microscopic examination could not be resorted to, and prohibition under the circumstances was necessary. But since that time nearly all the chambers of commerce of France have protested against the measure, and the Government has been led to question seriously the propriety of maintaining it.

A careful examination elicited the fact that from 1873 to 1880, 95,000,000 kilograms of American pork were consumed in France without danger, and that Belgium, where the consumption is about six times as large as in France, and England, where it is eight times as large, did not suffer at all from trichinosis.

It was found besides that the cooking of the meat afforded an additional protection against trichinosis to the one already secured by its process of curing.

Upon the evidence of these facts the committee of public hygiene rescinded its former advice, and declared that in its opinion prohibition was unnecessary, provided the meat introduced into France was well cured. The Government therefore proposes the free admission of American pork upon the conditions stated in the bill.

It has taken nearly two years to establish the fact that the remonstrances which our Government made from the beginning to this unjustifiable measure, and which have been constantly pressed upon the French authorities by my predecessor and myself, were just and well-founded in evory respect.

I regret that the bill proposed still maintains the prohibition of sausages and hashed meat, the reasons for which I do not understand.

But as the bill is, if its provisions are applied in a liberal spirit, as I believe they will be, our packers will have no reason to complain.

Mr. Faure expressed to me the opinion that the bill would pass both houses within four or five weeks.

* * * * * * *

I have, etc.,

L. P. MORTON.

[Inclosure in No. 107.—Translation]

Bill on importation of American pork.

The minister of commerce presented yesterday, in the name of the Government, the bill relating to the withdrawal of the decree prohibiting the importation into France of American pork.

This is the text of the document:

ARTICLE 1. The decree of February 18, 1881, prohibiting the importation into France of salt meats of American production, is annulled.

ART. 2. Salted pork of foreign production, accompanied by a certificate testifying that the meat has undergone a perfect preparation, and that it corresponds with the type known in commerce under the name of "fully cured," can be imported into France.

These certificates will be made out in the places of their origin with promptitude, and at the cost of the parties interested, by local experts, whose qualifications will be attested, and the signature authenticated by the consular agents of the Republic.

ART. 3. At the moment of the payment of custom-house dues in France, the importers must prove that the meats which they propose to hand over for consumption are healthy, that they are in a perfect state of preservation, and that the salting is not defective.

This authentication will be made at the expense of the importers by inspectors appointed by the prefects of the frontier departments.

ART. 4. The present arrangements are not applicable to meats hashed and uncooked, such as different kinds of sausage ("saucisses, saucissons, cervelas," etc.), nor to guts ("boyaux") intended for culinary preparations, the importation of which into France is absolutely prohibited.

ART. 5. Will be punished by imprisonment of from two to six months, and by a fine of from 100 to 500 francs—

1. Those who will have brought into France uncooked and hashed pork, such as the various kinds of sausage ("saucisses, saucissons, cervelas," etc.), or guts ("boyaux") intended for culinary preparations.

2. Those who have imported into France pork of foreign production which has not been subjected to the inspection imposed by the present law, or which would have been refused after examination.

In the two above-mentioned cases the imported meats will be in addition seized or destroyed.

The article 463 of the penal code is applicable in the cases provided for in this article (5th).

No. 52.

Mr. Rhodes to Mr. Davis.

No. 16.] UNITED STATES CONSULATE,
Rouen, February 2, 1882. (Received February 27.)

SIR: I transmit herewith a slip from the Nouvelliste de Rouen of to-day (February 2) of a case of litigation in reference to diseased salt pork from the United States. The particulars of the case do not possess an international interest, but the publicity given thereto brings afresh before the public mind of this part of the country the alleged danger resulting from the consumption of American pork. The judicial decision is based on the disease as an accepted fact, and possesses in popular estimation a convincing force which will be difficult to eradicate.

The author of the prohibitory measure of February 18, 1881, against the admission of American meats, Mr. Tirard, having returned to the ministry of commerce, it is possible that the abrogation of the measure in question may be attended with more difficulty than was anticipated under the ministry of his predecessor.

The French Government is nearly as parental under the republic as it was under the empire. Long custom has made this feature a national

characteristic, and the people naturally turn to the government for instruction and guidance as to proper food.

It is not the habit of the press of France to seriously examine subjects beyond national limits, and trichinæ in American meat was taken up and disseminated without proper discussion, and the result is that a general apprehension exists that the consumption of American pork may be attended with fatal consequences.

The exhaustive and convincing pamphlet issued by the Department under the title of "American pork" has served a good purpose in enlightening the agents of the Government and the merchants engaged in the trade of the meat. The French importer of it, however, is as ready and willing to sell it as ever, but the consumer is not as willing to buy, and it now seems desirable to overcome his recently acquired prejudice by the promulgation of a brief, simple presentation of the case adapted to the popular understanding. Thus, while the United States minister is endeavoring to secure the abrogation of the decree of February 18, at the foreign office, the consuls might profitably be employed in disabusing the popular mind and preparing the way for a future demand through the French press and the chambers of commerce.

In venturing to submit this suggestion, I have, &c.,

ALBERT RHODES,
United States Consul.

(It has not been thought necessary to reproduce the inclosure—a newspaper clipping in French.)

No. 53.

Mr. Glover to Mr. Davis.

No. 12.] UNITED STATES CONSULATE,
Havre, February 7, 1882. (Received February 27.)

SIR: Now that Mr. Gambetta has retired from the French cabinet, I fear that the revocation of the edict in regard to American pork has been indefinitely postponed. Mr. Tirard, by whose influence the order was originally issued, has been reinstated to his former position as minister of commerce and agriculture.

That fact has a very depressing effect on the merchants of this city who are interested in the importation of American salt pork. So confident were they that the edict would be revoked that I understand a large quantity of bacon was ordered to this port, several thousand cases of which have already arrived. Although the edict may not be strictly prohibitory in terms, it practically amounts to the same thing. The result is that American merchants are deprived of a market for their meats and the people here of a most excellent article of food.

I hope the Department of State will continue to press the matter on the attention of the French Government until the hog product of the United States shall be admitted into this country on an equal footing with that of any other country.

It is a matter of very vital importance to producers in the United States.

I have, &c.,

JOHN B. GLOVER,
United States Consul.

No. 54.

Mr. Davis to Mr. Morton.

No. 96.] DEPARTMENT OF STATE,
Washington, February 10, 1882.

SIR: I am gratified to learn from your dispatch No. 107, of the 20th ultimo, that it is very probable that the objectionable decree of the French Government against American pork will soon be repealed.

Thanking you for your full and interesting report on the subject,

I am, &c.,

J. C. BANCROFT DAVIS,
Acting Secretary.

No. 55.

Mr. Rhodes to Mr. Davis.

No. 19.] UNITED STATES CONSULATE,
Rouen, February 24, 1882. (Received March 9.)

SIR: I transmit herewith a slip from the Temps of February 23, concerning American pork before the Academy of Medicine, to which body the question was referred by the French Government. As will be seen, no practical solution was reached.

I am, &c.,

ALBERT RHODES.
United States Consul.

[Inclosure in No. 19.—Extract from the Temps, of Paris, of February 24, 1881.—Translation.]

AMERICAN PORK.—Our readers have not forgotten that immediately after a communication of M. Laboulbéne to the academy, reporting a little epidemic of trichinosis caused at Crépyèen-Valois, by a hog of French origin, the public was greatly disturbed. They learned at the same time that trichina had been found by the inspectors of butchery in American lard at Paris, Lyons, Montpellier, &c. The government instantly took a radical measure; there was issued an immediate prohibition of the introduction of American lard into France. They promised to retract the prohibition as soon as they could find a practical means of distinguishing the contaminated meats from those which were not. The academy, on being consulted, had previously given an opinion conformable to the measure taken by the government. However, the discussion had shown that several members of the company were not in favor of the prohibition; some deemed a thorough cooking sufficient to render the trichina lard inoffensive. Others thought that a thorough inspection upon its arrival would give satisfaction to all interested.

Several weeks ago our brother member, M. Decaisne, in the name of the hygiene—better understood, in the name of the laboring classes deprived of cheap and nourishing food, in the name of commerce and of industry sacrificed to chimerical fears—demanded that the prohibitive measures should be reported.

A delegation, composed of MM. Bouley, Chatin, and Proust, was named to examine the resolution of M. Decaisne. The minister of commerce presses the academy to make known to him its sentiments on the questions which M. Decaisne arouses.

M. Chatin, reporter of the delegation, after having brought to mind the actions above mentioned, enumerates, classes, and discusses the arguments of the adversaries of the prohibition. These ultimately affirm; 1st. That they could not, without a grave reason, which would here be faulty, deprive the people of such important and cheap food. 2d. That the salt, carefully prepared, destroys the trichina. 3d. That the

micrcgraphic examination of the imported meats would entail tardiness and innumerable difficulties to commerce, which would be equivalent to the prohibition in a disguised manner.

In the eyes of M. Chatin these arguments are not well founded. "It is to show," says he, "a singular solicitude for the interests of the laboring classes to wish to furnish them with unwholesome food in the pretext that it is cheap." The efficacy of the salt for the destruction of trichina is contested or denied by well-authorized observers, among others M. Colin d'Alfort. It is demonstrated that salt meats for some time past have preserved live trichina. Moreover, the quality of salt varies. They have found live trichina in hams of which the interior temperature had been brought up to 118°. It is not impossible to organize in France a service of micrographic inspection capable of sufficiently examining the imports.

M. Chatin, reasoning on the works and the essays of the delegation who had worked at Havre during several months of the previous year, affirms that he would not be above the means recognized as practical of establishing in this port a service of inspection offering to guaranty all. Havre receives annually 112,000 cases; for three hundred days of work, that gives 373 cases per day to examine; one inspector can visit 10 cases; let us apportion to him only 5. Seventy persons will suffice to do the work well.

The 50,000,000 kilograms of American pork annually imported by us do not intimidate M. Chatin. A hundred micrographs, two hundred at most, will serve to make a proper examination.

In Germany 17,000 persons, they say, are employed in this examination. In that country it is not only against indigenous trichinosis that we must protect oneself.

Conclusion: At present there is but one measure capable of conciliating the interest of the public hygiene and of commerce; it is the micrographic inspection.

It seems that three members of the commission have different opinions on the question.

M. Proust has recommended the examination of suspected meats, but he has not heard of the establishment of a system applicable to the great imports at Havre, however. For the rest, despite the prohibition, for the last four years we have consumed American lard received by the northern frontier, and we still consume as much as ever. Have they found one single case of trichina? No. The accident at Crespy is due to a "compatriot hog" [laughter]. Our culinary customs are efficacious safeguards to us. Let us eat American lard; only do not neglect to cook it a long time.

M. Bouley participates in this view of the subject, and believes that trichinosis causes so many accidents in Germany, only on account of the imperfect cooking of the meat. The inspection would be, without any doubt, a guaranty incomplete withal; it is not necessary.

M. Camille Leblanc, inspector-general of the sanitary services of Paris, attests that the prohibition has been without effect; the American lards were going to take divers forms in England, and come to us by the north. We would require 7,000 or 8,000 inspectors to organize a good service.

M Rochard, who was one of the Havre delegation, has been able to satisfy himself that the inspection was altogether insufficient for the wants of commerce.

M. Legouest admits that prolonged cooking destroys trichina, and believes that (thanks to that cooking) the American lard may be consumed by our troops. Still, he has a scruple; is it certain that the trichina meat, in which they have succeeded in killing the parasite, is as wholesome as the meat without trichina?

M. Bouley would not wish to affirm that the two meats are of equal value; however, it seems established that the albuminous substance of the dead trichina digests itself without inconvenience.

M. Bouchardat is convinced that the immunity of French pork is due to the isolation of the animals raised by the cultivators. In America, where the raising gives place to great enterprises and enormous concentration of animals, the trichina finds these conditions very favorable to its propagation. Better instructed, the Americans would practice the isolated raising. (A sarcastic voice:) Depend upon it!

M. Fauvel proves the absence of MM. Davaine and Colin d'Alfort, whose opinions would be precious on this occasion. Resolved: The report to be printed and the discussion to be adjourned.

Finally, according to the proposition of M. Guerin, considering that the report does not reply in its conclusions to the question of the minister, the academy votes sending back to the delegation. Consequently, the reporter must return with a new work, declaring his views on the subject of what conditions the introduction and the consumption of American pork can be permitted in France without peril to the health of the public.

No. 56.

Mr. Morton to Mr. Frelinghuysen.

No. 130.] LEGATION OF THE UNITED STATES,
Paris, February, 28, 1882. (Received March 19.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 96, of date February 10, conveying the gratification of the Department for the information that the decree of the French Government prohibiting the importation of American pork would probably soon be repealed.

With the defeat of the Gambetta cabinet, which was pledged to the withdrawal of the decree, and the reinstallation of Mr. Tirard, who originated the measures of prohibition, as minister of commerce, I regret to say that the prospects of an equitable and liberal settlement of this long-pending question are not now as favorable as heretofore.

The bill, which was drawn up by the late minister of commerce, of which I gave you the substance in my No. 107, is still before the Chamber, and will not, I think, be withdrawn. But it is somewhat doubtful whether the committee to which it was referred will now report it favorably.

I must state that the renewal of the objection made to the importation of American pork, is not to be attributed solely to the hostile influence of the minister of commerce and of those who have adverse private interests in the matter, but mainly to the publication in some American papers of supposed fatal cases of trichinosis. These reports, which have been circulated, unfortunately, by the American Correspondence, a New York Franco-American weekly sheet, printed partly in French, are copied by the French papers, and its paragraphs upon American trichinosis have received a rather wide circulation. I inclose herewith, for your information, two of these paragraphs, which appeared in the Correspondence of January 28 and February 11.

Many people have called at the legation to ascertain if there was any foundation for these reports. I have not hesitated to declare that, in my opinion, they were spurious, and that there was nothing like an epidemic of trichinosis existing in the United States. It might, however, be useful if I could speak with official authority from the State Department in the matter.

I have, etc.,

L. P MORTON.

[Inclosure in No. 130.—Extract from the American Correspondence, January 28, 1882.]

TRICHINOSIS IN THE UNITED STATES.—EXPERT INSPECTORS OUT OF THE QUESTION LEGALLY.

Like all Americans, we regret that the Chamber of Deputies did not instruct the Government to allow salt provisions from the United States to be admitted without restrictions, as we were in hopes that they would, and so expressed ourselves in our last number.

We are confident, at any rate, that the French legislators will continue to overlook the publication, in papers opposed to free importation, of numerous cases of trichinosis, more in fact than have really occurred. Reliance can be placed upon our statement that there were only six cases last week, of which four were fatal, and but two this week, which shows conclusively that trichinosis is a scarecrow, which has been made too much of.

We also expressed the apprehension that the Chamber of Deputies at Paris would take offense at being placed by the Government on the same level with American corporations, or even with the petty legislatures of separate States, with which it is

proposed to treat (and not with the American Congress) for licensing as experts those persons in America whose duty it will be to issue certificates of the wholesomeness of such provisions as they may agree to admit into France.

But it would appear, unfortunately, that such appointments as experts are contrary to the laws of the United States, as we are informed by a friend and correspondent, who is a well-known jurist and was, at one time, a United States judge:

"I call your attention to the text of the law as proposed, which will require the exporter to produce an inspection certificate from this side to identify the soundness of the provisions. It will be exceedingly difficult, if not impossible, to comply with such a requirement, for the simple reason that in this State and in Pennsylvania, if not in all the other States of the Union, there are no authorized legal inspectors.

"It is a matter of history that the inspection laws, formerly existing in this country, requiring the inspection of exports and brands of the board, on casks, barrels, or packages, hurt the sale of the article in the foreign market.

"It is unnecessary to detail the reason, but the abuse was so flagrant that in New York the constitution of the State forbids forever the appointment of inspectors or boards of inspection; and so it is in Pennsylvania.

"Whence is the exporter to obtain the inspection certificates demanded by the French law? In this country the purchaser must look out for himself. He has no other protection than the punishment of the person who knowingly sells putrid or unwholesome food.

"It is otherwise in France and other foreign countries, whose governments deem it their duty to add to the common law requirements and *a priori* evidence that the article offered is sound.

"It is supposed that perhaps an inspection in the interior, or the place of manufacture, say at Cincinnati or at Chicago, etc., by private parties would be sufficient.

"This is a delusive idea. The French bill requires the inspection by a competent, impartial, and disinterested expert authorized by the local government; but, whilst there may be voluntary inspectors, they are not the class to which France looks for the protection of the lives and health of its inhabitants.

"In the next place, neither of these centres is the point of export. The shipment to France is made here in vessels loading at this port, but pending the transit from the interior to the shipboard, on which the package will leave this country, there are so many opportunities of fraudulent marks, substitution of packages, and other tricks of trade that the original certificate, if in all respects correct, would not be proof of the identity of the article finally consigned to Havre. Nor will the French consular certificate of authenticity of signature, etc., be of any avail. The French market still regrets with sorrow the certificate of authenticity of the signature to a document, pretending to emanate from authority, that Frémont's notorious Memphis and El Paso Railroad was a duly recognized and salable stock at the regular New York Stock Exchange—a paper by which millions of French money were gathered for an unsafe and judicially fraudulent stock.

"The only remedy for the free export of meat and provisions from here to France is the absolute and unconditional repeal of the existing ordinance. The Chamber will not permit a change which can easily be evaded by illegitimate means. Will it permit a trade in natural course? This is the question."

As we go to press we find the following dispatch published in all the New York papers to-day (January 27), with displayed headings:

FIFTEEN PERSONS POISONED—TRICHINOSIS CAUSED BY EATING RAW HAM—THREE FATAL CASES.

MARSHALL, MINN., *January* 26.

Great excitement has been caused here by trichinæ poisoning from eating raw ham. Fifteen prominent citizens are afflicted, and three have died. An entire family, consisting of Mr. and Mrs. ——— ———, etc., etc.

Names and details are given, all which seems flatly to contradict those sanguine persons who, like ourselves, persistently maintain that the French Government ought to withdraw the prohibitive decree. It shows, at any rate, that the cases of trichinosis mentioned by us in our last number were not all exaggerated. We say again that these are special and particular cases, and that they prove nothing in a general way. It should be noted that in the above instance those who died had eaten raw ham.

In France it is *always eaten cooked.* Hence there is no cause for alarm. No uneasiness need be felt either about the lard in cans, prepared or purchased in quantities by leading speculators, such as Messrs. Armour, Fowler, etc., which they introduce in a roundabout way into France, where it is consumed without apprehension or suspicion of its American origin.

[Extract from the American Correspondence of February 11, 1882.]

SPECULATION AND TRICHINOSIS.

The movement to bring about a withdrawal of the decrees prohibiting the importation of American provisions into Europe, and particularly into France, continues to be carried on under unfavorable circumstances. As the American Correspondence has been predicting for a year past, the results have hitherto been negative. Matters are even worse at present, because speculation has thrust itself so deeply into this question, which Mr. Levi P. Morton, the American minister, is trying so strenuously to settle, because he knows what privations the laboring classes in Europe and what losses the American cattle-raisers are suffering by reason of the prohibitive decrees. But the large speculators do not care much for that. Operators for a rise have published in certain papers that the decrees had been abrogated in France by the Chamber, simply because a bill has been introduced by the Government, which will soon be buried out of sight, if people believe in France the exaggerated accounts of trichinosis published in certain other papers, under sensational headings, like the following:

THE POISONED FAMILY—THE AGONY ENDURED BY THE JAEGERS AT FORT WAYNE, IND

[Official dispatch to the Evening Telegam.]

FORT WAYNE, *February* 9.

The News says, with reference to the Jaeger family, five in number, who are suffering from trichinæ poisoning:

"They suffer intensely. No immediate danger is anticipated, but their ultimate recovery is doubtful. The girl, aged fifteen, and her sister, aged five, are in a very bad condition. No hopes are entertained of their recovery. The balance may survive. The oldest child was working in the country and came home to wait on the family, and ate once of the diseased meat. She has a very mild form of trichinosis."

It will be observed that this does not refer to the same case as that of which we deemed it our duty to publish the true particulars, because they had been too much magnified by some papers. These exaggerations originate with the bear speculators, who are well aware that if they should only hear in France of any new cases of trichinosis in this country, they would never venture to withdraw the prohibitive decrees. For this reason we desire to caution the French public and Government once more not to attach any credit to exaggerated accounts like the above.

No. 57.

Mr. Morton to Mr. Frelinghuysen.

No. 138.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1882. (Received March 30.)

SIR: I have the honor to inform you that the committee to which the bill providing for the free introduction into France of foreign pork had been referred, has made a favorable report, and that the question will come up in the Chamber on the 23d instant. All indications now point to the passage of the bill.

The Academy of Medicine, to which the Government had submitted the matter, has pronounced itself against the measures resorted to or contemplated for obstructing the importation of pork. I annex herewith a copy of the report of the academy, which has been kindly furnished by Dr. Wm. E. Johnson.

The Academy of Medicine of France is an official body, authorized to answer the questions on sanitary measures propounded to it by the Government, and its decisions, when uttered in a clear and decided manner, as in the present case, have great influence with the executive and legislative departments of the Government.

I have, etc.,

L. P. MORTON.

[Inclosure in No. 138.]

Dr. Johnston to Mr. Morton.

PARIS, *March* 16, 1882.

DEAR SIR: I have the honor and the pleasure to inform you that after a full discussion of the question of trichinæ in connection with American pork at the National Academy of Medicine of Paris, a discussion which ran through several sittings, that body has come to a decision which fully justifies the views your legation has maintained on this question.

The Academy of Medicine of France is an official body authorized to answer in an official manner the questions on sanitary measures propounded to it by the Government; and its decisions, when uttered in a clear and decided manner, as in the present case, always meet with the deference on the part of the Government to which they are entitled.

I subjoin the declaration voted by the academy.

I have, etc.,

W. E. JOHNSTON, *M. D.*

Report at the National Academy of Medicine of France on the question, propounded by the Government, of the necessity of an inspection of foreign pork.

[Read by Dr. Bouley, professor at Alfort, reporter of the special committee, February 28, 1882.]

The academy taking into consideration:

1st. That for a great many years American and German pork has been freely admitted into France, without having been submitted to any kind of inspection as regards trichinæ;

2d. That notwithstanding the very extended use which has been made of this kind of meat, especially in the army and the large manufacturing and industrial districts, the disease called trichinosis, with the exception of a single case, which was produced by indigenous pork, has not been observed in any part of France, although at the same time the attention of physicians has been frequently called to that disease in Germany.

3d. That this immunity enjoyed by the people of France in regard to trichinosis, is due without any doubt to their culinary habits, pork being never eaten in France without having been submitted to such a temperature in cooking as is incompatible with the life of trichinæ.

4th. That an efficacious microscopic inspection would be with difficulty applied to the enormous mass of ninety millions of pounds of pork, which is the annual amount of importation, and that, in any case, the inspection would not prove to be a certain guaranty of the innocuity of the pork as regards trichinæ, since the irregularity of the dissemination of trichinæ does not permit the conclusion that because they do not exist in one part they may not exist in another, is of the opinion that it is not necessary to submit imported pork to a microscopic inspection, in order to prevent trichinosic infection, the culinary habits of the people of France being such as to demonstrate thus far that the precautions used in cooking are sufficient to preserve them from the infection; and that it suffices to put them on their guard against the possible dangers of the use of raw or incompletely cooked pork, topoint out to them by a special printed instruction these dangers, and to distribute these instructions through the aid of the government agents to every part of France.

A minority report on an unimportant point was read by a member of the committee and was rejected by the academy.

No. 58.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, March 20, 1882.

FRELINGHUYSEN, *Secretary, Washington:*

Pork bill comes before the Chamber Thursday. Important to have cable from you denying reports of prevalence of trichinosis in United States.

MORTON.

No. 59.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

WASHINGTON, *March* 22, 1882.

MORTON, *Minister, Paris:*

Health officer of Cincinnati certifies that records of that city, the center of pork trade, do not show a single case of trichinosis. Dr. Rauch, secretary health board of Illinois, reports only eleven deaths from trichinosis in whole State in sixteen years, traced in each case to eating raw pork. City physician of Chicago states records show only two cases there in four years, also due to eating raw pork. The places mentioned are the great pork producing and consuming districts of the United States, while the whole country consumes more pork per capita than any other country.

FRELINGHUYSEN.

No. 60.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, March 28, 1882.

FRELINGHUYSEN, *Secretary, Washington:*

Pork bill with microscopic amendment passed Chambers; vote on amendment 256 ayes, 216 noes.

MORTON.

No. 61.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, March 29, 1882.

FRELINGHUYSEN, *Secretary, Washington:*

The pork bill passed yesterday provides for inspection in France by experts appointed by minister of commerce, who shall have the right to prescribe mode of examination. This last clause, which was introduced by amendment, has in view the re-establishment of microscopic examination.

Our friends and former minister of commerce opposed it.

MORTON.

No. 62.

Mr. Morton to Mr. Frelinghuysen.

No. 146.] LEGATION OF THE UNITED STATES,
Paris, March 31, 1882. (Received April 13.)

SIR: I had the honor to inform you on the 28th and 29th instant by cable that the pork bill had passed the Chamber with an amendment aiming at the re-establishment of microscopic examination. I transmit herewith copies of my telegrams and a translation of the text of the bill as it passed the Chamber.

The amendment introduced by the opponents of the free admission into France of our pork is contained in the three last paragraphs of article 2. It does not provide in terms for microscopic examination, but the debates show that it is intended to secure that result. The minister of commerce, Mr. Tirard, who agreed to it, and has secured its passage, is well known to be in favor of this mode of inspection, and to hold that it is the only one by which any effective guaranty can be given. In a conversation which I had with him the day before the debate he expressed this opinion, and remarked that there was a strong prejudice in France against American pork; that it would find no sale, although it might be perfectly sound, unless some kind of inspection was required which would satisfy the public. He discussed the question in a friendly manner, and intimated that the inspection, if required by the new law, could be made easy, and would become more and more so, if all meats were found to be in a sound condition.

Mr. Archard, of Bordeaux, the chairman of the committee who reported the bill, during the debate read your telegram, copy of which I had furnished him, denying the existence of trichinosis in the United States, and made an able argument in favor of his bill, claiming that the prohibition was unjustifiable, that our pork was pertectly healthy, and that, even should it be unhealthy, no inspection or examination of such quantities could be in any way effective. His speech is too long to be translated, but by referring to the Journal Officiel of the 28th and 29th, which goes regularly to the Department, you will find it in full, with the whole proceedings.

It is believed that the Senate will pass the bill without change.

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 146.]

Translation of a bill passed by the Chamber.

ARTICLE 1. Salted pork meats of foreign production, which correspond to the type known in commerce under the name of "fully cured," can be imported into France through places on the frontier of land and sea which will be designated by decree.

ART. 2. At the moment of landing the importers must prove that the meats which they intend to hand over for consumption correspond to the aforesaid type; that they are wholesome; that they are in a perfect state of preservation; and that the salting of them is complete. This authentication will be executed by special experts.

These experts will be appointed by the minister of commerce, who will possess the right to direct such manner of examination as will appear to him necessary.

The cost of the service of inspection will be paid by the importers under conditions to be established by rules of the public administration.

The custom-house service will only allow the removal of the meats on the certificate of these experts establishing that they consider the condition required in the first paragraph of the present article.

ART. 3. The present arrangements are not applicable to uncooked chopped meats, such as small and large sausages, Bologna sausage, etc, nor to guts intended for culinary preparations, the introduction of which into France is absolutely prohibited.

ART. 4. Will be punished by imprisonment of from two to six months, and by a fine of from 100 to 500 francs—

(1) Those who have introduced into France uncooked chopped pork, such as large and small sausages, Bologna sausage, etc., or guts intended for culinary preparations.

(2) Those who have introduced or attempted to introduce into France, without submitting them to the verification prescribed by the present law, of pork of foreign production.

In the two above-mentioned cases, the imported meats will be, moreover, seized and destroyed.

Article 463 of the Penal Code is applicable in the cases foreseen in this article.

ART. 5. The decree of February 18, 1881, which prohibits the importation into France of salted pork of American origin is repealed.

MISCELLANEOUS.

AUSTRIA.

No. 63.

Mr. Evarts to Mr. Kasson.

[Telegram.]

WASHINGTON, *February* 24, 1881.

KASSON, *Minister, Vienna:*

See minister foreign affairs and protest firmly against proposed decree. Certainly, it should not operate except after a due interval of notice, and should not condemn except for actual disease. Without these qualifications the measure would be regarded as oppressive and intolerable.

EVARTS,
Secretary.

No. 64.

Mr. Kasson to Mr. Evarts.

N. 434.] LEGATION OF THE UNITED STATES.
Vienna, March 12, 1881. (Received March 26.)

SIR: Recurring to the subject of my dispatches Nos. 428 and 430, I have now to add that on the 8th instant I received very opportunely your telegram.

I made it the occasion of a further communication to the minister fo foreign affairs, as follows:

UNITED STATES LEGATION,
Vienna, March 8, 1881.

DEAR BARON HAYMERLE: Referring to my conversation with you of the 28th ultimo, and my note of the 1st instant, inclosing "memorandum," I beg to call your attention to a telegram received to-day from the Secretary of State, at Washington, which denies the reports, put in circulation by interested parties, respecting the prevalence of disease among American swine.

In this connection, I beg that the attention of the proper authority in Austria and in Hungary may be called to the fact, as reported to this legation, that examinations have shown more condemnations of German and Servian swine meat, on account of the presence of trichinæ, than of American. A quantity of Westphalian hams are reported to have been recently confiscated in this city on that account. It is believed that when the reports made are duly considered by the respective governments, it will appear to them necessary to make one rule equally applicable to the importations from all countries.

Believe me, dear Baron Haymerle, your most obedient servant,

JOHN A. KASSON.

(Copy of telegram inclosed.)

On the evening of the same day, meeting me in society, he said that he had received this note, and had already ordered its transmission to the Austrian and Hungarian Governments. Your telegram was opportune, especially because there had at the time appeared in the journals a statement that the municipality of Pesth had just addressed to the government there a petition for the prohibition of the importation of lard, of pork, and of fat coming from America. By my advice, the consul at Pesth was instructed to remonstrate with the local authorities for reasons given, and his action thereon he afterwards reported to the consul-general.

I have now exhausted all the preventive means which occur to me as being in my power to reverse or modify the intended action of the two Governments. It has also been the subject of conversation between two of the ambassadors and myself, in which I thought to dissipate the groundless alarm, and indicated what is generally believed to be at the bottom of the difficulty, namely, the wish to obstruct and even abolish American competition in the home markets of Europe.

There remains, however, the question whether the United States Government has done all in its power to obviate every just cause of complaint. It appears to me the answer must be in the negative: 1st. So far as I can ascertain, the causes, and the effect upon the animal fiber, of hog cholera have not been officially investigated and stated. 2d. No system of official inspection in respect to trichinæ has been established, either at slaughter-houses, at depots, or at ports of exportation. 3d. No official investigation and determination has been made whether salting, smoking, "trying" the fat or other curative process, has the effect of destroying the dangerous animalcule. I venture to suggest that until some official action in these directions has been duly taken we are not without fault for the alarm existing on the subject in Europe.

In connection with these suggestions, I take the liberty to say further: We are so far removed from the countries of interior Europe that their governments are not so careful in treating economic questions involving our interests alone as they are in dealing with like questions affecting their immediate neighbors. Their sense of international justice is also largely influenced by the wide-spread fears among their people of the effect of the recent development of the products and of the industry of the United States, and of the resulting competition in European markets.

These fears particularly apply to the agriculture of America. The taxation of real estate here is very burdensome; in America it is light. Rents must here in large regions be paid to landlords; in America the farmer is usually free from rent charges. Here lands have been highly paid for; there they were bought comparatively cheap. These considerations are pressed upon the governments. It is more than possible that they will lead to palpable injustice and inequality towards the United States in the near future. Hence the question, whether

Congress ought not to arm the Executive with the power to impose temporarily a percentage of discriminating duties on the products of the soil and of the industry of those nations which apply discriminating duties or regulations against the products of the soil or industry of the United States.

Some two years ago I had the honor to advise you that the condition of public sentiment in this country, and on this continent generally, gave serious cause for alarm to American interests. I beg now, in view of the partial realization of those fears, to renew that declaration, and to direct attention to remedial and precautionary measures.

I have, etc.,

JOHN A. KASSON.

No. 65.

Mr. Weaver to Mr. Hay.

No. 119.] UNITED STATES CONSULATE-GENERAL,
Vienna, March 16, 1881. (Received April 1.)

SIR: The Reichsgesetzblatt of Vienna publishes to-day the following decree, signed by the ministers of the interior, of commerce, and of finance for Austria, dated March 10, 1881, prohibiting the importation of swine products from the United States to this empire, as follows:

In agreement with the Royal Hungarian Government, the importation of swine, of pork of all kinds, of lard, and of sausages of every description, from the United States into the Austro-Hungarian Monarchy is prohibited.

This prohibition goes into force from the date of its publication.

I am also informed by Consul Sterne that a similar decree was published at Pesth on the 11th instant, by the ministers of commerce and of the interior for the Hungarian Monarchy, so that the prohibition for the entire Austro-Hungarian Empire is now perfected.

There is no doubt in my mind but that the actuating cause of this prohibition may be attributed to the bitter opposition of pork producers in this country, as they have suffered greatly from American competition, but probably the immediate cause was the recent similar prohibition on the part of the French Government.

Aware of the feelings of the producing classes in this empire, I was fully prepared for a vigorous attack upon American swine products as soon as France had led the way. Consequently, on the 2d instant an article appeared in the morning journals here, to the effect that the burgomaster of Buda-Pesth had declared before a commercial society that it had been satisfactorily proven that American meats were deleterious to the public health by reason of the trichinæ they contained, and that such representations would be laid before the Government as would lead to a prohibition of their importation.

The article was sent to Consul Sterne at once, with instructions to call upon the burgomaster, and ascertain the grounds upon which he made such statements, and if it were found that on the plea of sanitary measures any unjust discriminations were likely to be made against American products, he should protest in strong terms against such a procedure, and lay before the proper authorities such a statement of our appreciation of the situation as might prevent hasty action injurious to our trade. To this end it was claimed that the American hog products were equally as free from trichinæ as the European products, and that this could be

proven by reliable microscopical examination, and that the cases of trichinosis in Europe were shown to have resulted from eating of native pork, and that consequently it was unjust to condemn an article of any one nation and not subject the same article, similarly conditioned, to like prohibition or restriction.

On the 6th instant Mr. Stone replied in effect, that he had communicated with the burgomaster, who promised to give his statements due consideration; that action had been taken in consequence of an inquiry made by the ministry as to what effect the examining station recently established at Trieste had produced; that he had no official statistics concerning the introduction of American pork, but that he had heard of diseased stock being discovered and condemned at Steinbruck, but in these cases the hogs had come from Servia and the Lower Danube.

It was supposed, however, that Sanitätsrath Gröss would furnish the proofs sustaining any proposition made to the ministry, who in turn would most likely appoint a commission of investigation, on whose report action would be taken.

On the receipt of this communication I placed the same before Mr. Kasson, who informed me that he had already sent to the foreign office the strongest possible representations on the subject, and was likewise in direct telegraphic communication with the Department on the subject, so that possibly nothing further could be done.

On the 13th instant, however, I received a letter from Mr. Sterne, inclosing the ministerial decree, which he justly characterised as a "foregone conclusion" pronounced by a Government that had made up its mind to act at once upon *ex parte* evidence. In order to show the animus pervading the minds of those in positions of influence, in respect to American swine products, I inclose herewith a copy of a newspaper article emanating from Dr. Ludwig von Gröss, one of the medical advisers of the city of Buda-Pesth, from which it would appear that a bitter crusade against our swine products may be expected all over the continent of Europe. The question must therefore occur to the minds of legislators, whether this unjust discrimination against our products should not be met by a similar prohibition of the importation into the United States of the special products of the offending nations, or by applying to their imports a special discriminating duty. *Lextalionis* might have at present a more beneficial influence on European nations than commercial reciprocity.

But while it is believed that France and Austria have acted recently in the matter under consideration with great precipitation and injustice, yet it can not be doubted that the result has been partly owing to causes for which our own merchants are responsible, viz, in that the shipment of large quantities of insufficiently cured or spoiled meat prejudice foreign markets against our products; and the telegraphed or published statements of great mortality among the swine in America, probably originated or aggravated by speculators in the trade in order to subserve selfish ends, give to those who are seeking it the occasion for making those frightful representations concerning American meats that consumers are deterred from using them, and officials induced to combine with the native producers in order to prohibit their importation. It would appear, therefore, that the question is so hopelessly involved and obscured by personal interests that the public welfare is lost sight of.

I am, etc.,

JAMES RILEY WEAVER,
Consul-General.

[Inclosure.]

Translation of an article published in a leading journal at Buda-Pesth by Sanitätsraih, Ludwig von Gröss, on trichinæ in American swine products.

At the International Congress held in 1879, in Amsterdam, I have called attention to the dangers arising from the consumption of lard and pork imported from America. After an investigating debate, in which several American hygienists took part, it recommended to the governments of the several European states in general to prohibit the importation of American pork in all the ports and countries of Europe. Minute examinations made since then in Stockholm and Barcelona have shown that the American hams contain in great part the dangerous trichinæ, and scientific investigations have proven that dyphtheritis owes its cause to the consumption of American lard made of swine that were infected with trichinæ. The breaking out of the hog-cholera in the forests of the American northern states during the last year has made the importation of these products very suspicious. I have published several articles in this paper which were copied by other journals, among others by the Journal Hygiene of Paris, which considered these labors of great moment. To my great satisfaction the government of the French Republic has prohibited the importation of American pork in all its territories, and I regret to find that we are here still negotiating, for it is high time that our government, animated by the best intention, should act. The next consequence will be that other states will issue similar laws, prohibiting the importation of American pork, for the reason that the home products can not always, or at least only with difficulty, be distinguished from the imported article, and the course pursued by Italy, which refuses admission to our products for sanitary and similar reasons, is in favor of my argument. Can it be that our government should desire to establish slaughter-houses for hogs, in order to examine the animal while still alive, and permit the importation of the dead and questionable products? This can not be, for sanitary as well as financial reasons, for if we restrict our own industry within proper confines, we can not allow the Americans to endanger our markets with their diseased wares. The honest producer can not enter into competition with him who offers damaged goods. The twelfth hour has strnck; we should no longer tarry with the command if we don't want to expose our health or the interests of our home industry.

DR. LUDWIG V. GRÖSS,
Medical Adviser.

No. 66.

Mr. Kasson to Mr. Blaine.

No. 488.] LEGATION OF THE UNITED STATES,
Vienna, March 19, 1881. (Received April 2.)

SIR: The interests at work to obstruct the competition of American swine-meat, and swine product, in the markets of this monarchy have finally succeeded in their purpose. On the 16th instant appeared here in the official journal—the Wiener Zeitung—an ordinance, of which I inclose a translation. A copy of the original publication is inclosed herewith. I had previously private information that the two governments had resolved to effect their purpose in some form, notwithstanding the official representations had made of the absence of just sanitary grounds on which to base such an ordinance. If my remonstrances had any effect, it was only to induce them to abstain from alleging disease in the articles prohibited. The order is a simple, naked prohibition, without alleged sanitary causes, or other reasons. It might equally apply to American flour. But this form leaves it a patent and bare violation of the fifth article of our treaty of commerce of 1829. This appeared to me to more than justify a formal protest on my part against it, even had this not been required by the instructions of the telegram addressed to me by Mr. Evarts, under date of the 25th of February. A copy of my protesting communication to Baron Haymerle is

inclosed herewith, and I hope it may be approved by my government, as within my instructions, and as proper in form. I could not permit to pass without protest an order so plainly ignoring the obligation of a treaty.

If they should seek to justify the order by hereafter alleging disease in the American swine product, still there remains the need of proof, and, even if proved, the inequality of national treatment against which the treaty stipulates. Their own official records show the presence of the disease in the like products of neighboring countries which are not included in the prohibition. The Secretary will observe that in my two previous notes to the foreign office, I carefully kept in view the two claims of my government—actual disease to be shown, and one rule to be applied to all nations, without discrimination against the United States.

The injustice and inequality of the order are evident. Its folly will be apparent from the fact that it will lead to the illicit introduction of American swine-meat under the disguises of other nations.

I have, etc.,

JOHN A. KASSON.

[Inclosure 1 in No. 438.—Translation.]

Ordinance of the ministries of the interior, of commerce, and of finance of the 10th March, 1880, relating to the prohibition of the importation of hogs, swine-meat, lard, and sausages from the United States of North America.

In agreement with the royal Hungarian Government the importation of hogs, of swine-meat of every kind, of lard, of sausages of every sort, from the United States of North America into the Austro-Hungarian monarchy is prohibited.

This prohibition will go into force with the day of its publication.

TAAFFE, M. P.
DUNAJEWSKI, M. P.
PINO, M. P.

[Inclosure 2 in No. 438.]

Mr. Kasson to Baron Haymerle.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, begs to call the particular attention of his excellency Baron Haymerle, imperial royal minister for foreign affairs, to the following observations:

In the Wiener Zeitung of the 16th instant appears the following official publication:

An order issued by the ministry of the interior and by the ministry of commerce and finance under date of March 10, 1881, in relation to the prohibition of the importation of swine, pork, bacon, and sausages from the United States of America:

The importation of swine, and of pork, bacon, and sausage of all kinds, from the United States of North America into the Austro-Hungarian monarchy is hereby forbidden.

This prohibition shall take effect on the day of its promulgation.

TAAFFE, M. P.
DUNAJEWSKI, M. P.
PINO, M. P.

From this it appears that, alike in Hungary and in Austria, without previous notice to or understanding with the Government of the United States, an unconditional prohibition has been imposed on the importation of an important article of commerce, the produce of the United States. This prohibition seems to be exceptionally applied to the produce of the United States, and not to extend to other nations.

The treaty of commerce and navigation concluded between the two nations on the 27th of August, 1829, adopted a system of "perfect reciprocity, based upon principles

of equity equally beneficial to both countries." Article V of that treaty, in conformity with that system, provided for mutual and exact equality of treatment, so that no other or higher duties should be imposed on the produce or manufactures of either than those imposed upon the like article the produce or manufacture of any other country. It is further, in the same article, expressly agreed as follows:

"*Nor shall any prohibition be imposed on the importation or exportation of any article the produce or manufacture of the United States* or of the dominions of Austria, to or from the ports of the United States, or to or from the ports of the dominions of Austria, *which shall not equally extend to all other nations.*"

The Government of the United States is unable to reconcile the official order above quoted with the provisions of the treaty, and the obligations imposed alike on both Governments.

The undersigned must therefore protest, in the name of his Government, against the said order and its enforcement, and reserves all rights of reclamation, both for his Government and for its citizens, on account of the injury and damage which may result therefrom.

The undersigned begs his excellency Baron Haymerle to accept herewith the very cordial assurances of his distinguished consideration.

JOHN A. KASSON.

UNITED STATES LEGATION,
Vienna, March 18, 1881.

No. 67.

Mr. Sterne to Mr. Hay.

[Extract.]

No. 12.] UNITED STATES CONSULATE,
Buda-Pesth, March 24, 1881. (Received April 14.)

SIR: On March 10 of this year the Hungarian Government, in connection with the Austrian, issued a decree "prohibiting the importation of any American products of swine into any of its territories."

No doubt this fact has ere this been officially brought to your notice by our representative at Vienna, and I only venture to repeat it because I believe my position here at the commercial center of the State enables me to lay a few additional items on the subject before you; items the knowing of which may be of value to our Government in connection with how it may consequently shape its course in reciprocity.

I suppose every nation has the right to adopt measures which are intended to protect the sanitary condition of its people, without regard as to the effect of such measures upon the commercial interests of another nation. It is my opinion, though, that in this instance the above is only the nominal motive, and that there were other causes at work to bring about the action; I have therefore taken pains to investigate into the real nature of these motives, and consider it my duty to submit the results for your consideration, of course speaking only of facts relating to Hungary.

In former years this State was not only the "granary of Europe," but it also supplied the Continent and England with a great part of their needs in the products of swine; the natural resources of the country are well adapted for the production of such and in larger quantities than home consumption requires, and this surplus, with what is brought in from Servia, Roumania, and the Lower Danube (for the products of which countries this is the natural gateway on their way to the west of Europe) has furnished Hungary the means for quite an extensive and profitable export trade.

I have stated in a former report how the cheaper American grain and flour has affected a similar industry in this country, and now my observations tell me that also its trade in swine and their products has, if possible, suffered even to a greater degree, for instead of, as formerly, supplying the Continent and England with its surplus, this state is now troubled to hold its own in territories which are naturally tributary to it.

I have been aiming to supply you with exact figures to prove what I say, but it is impossible to gather reliable statistics on the subject, and I shall therefore report only in a general way what I have deduced from those reports, etc., which have been accessible to me. From all these I have discovered that the Hungarian trade in this branch has gradually receded in the same proportion as that of America has expanded; that it has not only decreased in quantity, but also become more and more unprofitable.

I will here quote by translation part of a report on the subject by the Handels and Gewerbe Kammer (chamber of trade and commerce) of Buda-Pesth, for 1879, which speaks more to the point than any figures I could give. It says:

> *Also*, in 1879, our export trade did not go beyond the narrow limits (borders) which the powerful American competition has drawn (set) for it, and to-day (at present) the export suffers frequent interruptions, also towards the *Austrian* provinces, because we can not compete with the extraordinary low American prices even in the closest vicinity.

I have italicised the word *also* because it refers to a similar condition in former years, and *Austrian*, as it shows that it is specially a Hungarian interest which suffers.

As a further instance I will say that in conversation with a leading merchant here he admitted to me that while he was formerly able to export largely and profitably in this branch, the trade has now become reduced to nothing but a small retail business, comparatively.

Hungary proper never imported much, if any, American pork, for it easily produces all it needs for home use, therefore the danger from the claimed trichinæ in American pork has never been serious; but, on the other hand, it admits large quantities of swine from the "Lower Danube," countries which admittedly contain trichinæ, and are frequently otherwise diseased Of course, there are quarantine stations established in that direction, but these can not be considered as complete safeguards against the final introduction of diseased stock; but the handling of these furnishes quite a profitable trade to the country, while the American article has a murderous effect on the same trade on account of its "terrible" low prices. Nor have I been able to discover cases of trichinosis wherein the cause could be traced to the use of American pork, and, in truth, any observer of the wan faces of the many poor people can see that the excessive *non*-use of American pork kills more people than the use of it.

Therefore it is my opinion that the action of Hungary was taken more for the purpose of its moral effect upon the rest of Europe than anything else, for by the gradual exclusion of American pork from Europe this state will be more benefited than any other, as it will thereby recover a formerly extensive and profitable trade.

* * * * * * *

I remain, &c.,

HENRY STERNE,
United States Consul.

No. 68.

Mr. Weaver to Mr. Hay.

No. 122.] UNITED STATES CONSULATE-GENERAL,
Vienna, March 26, 1881. (Received April 14.)

SIR: In view of the recent action of the Government of Austria-Hungary in prohibiting the importation of American swine and swine products into this Empire, as reported in my dispatch No. 119, I beg to submit herewith certain statistical data collected from the latest official reports at my command, which may be of some utility in the discussion and comprehension of the question.

The importation of swine into Austria-Hungary for 1879 amounted to 438,734 head, of which 259,175 came from Servia, 126,815 from Roumania, 21,311 from Bosnia, and 18,781 from Russia; while the exportation amounted to 262,006, of which 250,529 went into Germany, whereas during the first eleven months of 1880 the number imported fell off to 187,318 in place of 420,410 for the same period of 1879, and the number exported fell from 241,302 to 210,876 during the same periods of 1879 and 1881. However, the decrease in the importation of swine is still more striking when compared with 1876 and 1877, for which years there were imported, respectively, 759,048 and 524,562 head, and exported 457,206 and 403,015 head. Since January 1, 1879, the entry duty on hogs has been 2 florins per head.

It will thus be seen that the decrease in the importation during the last five years has been enormous, amounting in 1880 to only about one quarter of what it was in 1876, while the exportation fell off to about one-half, so that the exports now slightly surpass the imports. It is no secret that the regulation of this traffic between this country and Servia, and likewise with Germany, has been hitherto and yet remains one of the most difficult points to be settled previous to concluding the commercial treaties at present under consideration.

In order of importance, the category comprising rendered hogs' lard (schweinefett) and unrendered fat (speck) form the largest article of swine imports into this country, but as in all official reports goose-grease is included in this category, the data can only be taken as approximations for our present purpose; but they may be considered as sufficiently accurate, as the goose-grease forms but a very small quantity relatively.

Therefore the importation of these three articles, schweinefett, goose, grease, and speck, for 1879, amounted to 934 tons of 1,000 kilograms-valued at 467,000 florins. Of the total, 601 tons entered by Trieste, and 249 tons by the German frontier, which would indicate that a large proportion of the same was doubtless American lard. But as the decree prohibiting the importation of American hogs or pork of all kinds specifies speck and omits schweinefett from the list, it may be concluded that the purfied or rendered lard proper of the American markets is *not* prohibited, but only the unrendered lard or fat, which is the speck.

The exportation of the foregoing category for 1879 amounted to 130 tons, of which 53 tons went to Bosnia and 49 to Germany. The imports and exports for the first eleven months of 1880 were, respectively, 5,635 and 89 tons, against 999 tons imports and 113 tons exports during same period of 1879, manifesting an enormous increase of the imports and a slight decrease in the exports.

For the years 1876 and 1877, the goose-grease included in the above category was omitted, and the importation of schweinefett and speck

for those years are given at, respectively, 1,056 tons and 1,879 tons, and the exports at 285 tons for 1876, and 113 for 1877. The increase of imports from 1,056 tons in 1876 to 5,635 tons in the first eleven months of 1880, is certainly very extraordinary and worthy of note, particularly as the exports fell from 285 tons in 1876 to 130 tons in the first eleven months of 1880. As about two-thirds importations of those articles came in by Trieste, and as nearly 900 tons of lard, meat, and butter arrived there direct from the United States in 1879, it may be concluded that quite the major part of all the imports of lard and speck to this empire are of American origin; but as the decree does not affect the lard, as above explained, the injury to our commerce may not prove as serious in this direction as was feared. The entry duty on the foregoing category is eight florins per 100 kilograms.

Of meats proper there are two categories, viz, fresh meat and meats salted, dried, smoked, or pickled; consequently we may omit the former and accept the latter as giving approximately the importation and exportation of pork into and from this Empire.

For 1879, the importation of prepared meats, as explained above, amounted to 103 tons, of which 68 tons came through or from Germany and 18 tons entered at the port of Trieste, while the exports amounted to 347 tons, of which 128 crossed the German frontier, 160 tons went out via Trieste, 39 tons via Fiume, and 16 tons crossed the Italy frontier. For the first eleven months the imports were 123 tons and the exports 299 tons, while for 1876 and 1877 the imports were, respectively, 77 and 87 tons, and the exports 266 and 339 tons, respectively, manifesting during the last five years an increase of imports from 77 tons in 1876, to 123 tons in the first eleven months of 1880, while the exports show but little change, viz, 266 tons in 1876, and 299 tons in first eleven months of 1880. The entry duty on prepared meats is three florins per 100 kilograms, the same as that on fresh meats, of which in 1879 were imported 257 tons and exported 1,387 tons.

In sausages, omitting that by virtue of treaty stipulations, the movement is very insignificant, probably owing to the high tariff of twenty florins per 100 kilograms. The total amount imported in 1879, including pork, blood, and liver sausages, and omitting the 75 tons entered by virtue of the special commercial conventions with Italy and Germany, from whence came 23 and 49 tons, respectively, at an entry duty of 16 florins per 100 kilograms, was only *four tons*, three tons of which entered by the German and one by the Italian frontier. The total exports of all kinds of sausages for 1879 was 191 tons across the frontiers and by the ports, as follows: German, 43 tons; Servian, 36 tons; Italian, 7 tons; Roumanian, 5 tons; Trieste, 76 tons, and Fiume, 12 tons.

Comparing the imports for the first eleven months of 1880 with those of like periods of 1879, viz, 76 and 64 tons, a considerable increase is observed, while on the contrary the exports for the same periods, viz, 129 and 183 tons, respectively, manifests a material falling off.

The value of the imports and duty paid thereon during the year 1879 were given as follows:

Description.	Value.	Duty.
	Florins.	*Florins.*
Hogs	11, 407, 084	877, 464
Lard and fat	467, 000	74, 720
Prepared meat	98, 325	3, 105
Sausages	94, 560	12, 768
Total	12, 066, 969	968, 057

In order to present the matter in the most succinct and comprehensive manner possible, I inclose herewith a tabulated statement of the imports and exports of swine and swine products to and from the Empire of Austria-Hungary during the period of time indicated.

From the accompanying table it will be seen, first, that both the importations and exportations of hogs during the past five years manifest constant and enormous decrease; secondly, that the importation of swine products indicate material development, and the increase of lard and speck during 1880 is over sixfold; and thirdly, that on the contrary the exportation of these products manifest generally a considerable decrease, from which it may be justly concluded that the swine industry of the Austrio-Hungarian Empire is not in a flourishing or satisfactory condition, which may in part account for the zeal manifested by certain parties in inducing the Government to prohibit the importation of American hog products, which have doubtless been the main cause of the present languishing condition of the trade.

It should furthermore be remarked that on account of the relatively small quantities of these American products that have been heretofore imported into this country, and are now prohibited, probably not over 25 or 30 tons of bacon and hams, the injury to our trade is reduced to a minimum; but doubtless the main object of discriminating against American pork was intended to influence other nations, whose large trade in these American meats so affected prices and supplies generally that there is at present no active demand as formerly for Austrian meats; hence a depression that threatens to destroy her domestic swine products, which must be counteracted in some way.

I have, etc.,

JAMES RILEY WEAVER,
Consul-General.

[Inclosure in No. 122.]

Comparative tabular statement showing the importation and exportation of swine and swine products into and from Austria-Hungary during 1876–'80.

IMPORTS INTO AUSTRIA-HUNGARY.

Categories.	1876.	1877.	1879.	Eleven months of 1880.
Hogs.....head..	759, 048	524, 562	438, 734	187, 018
Lard and fat.....kilos..	1, 056, 200	1, 879, 200	934, 000	5, 635, 200
Prgpared meat.....do...	77, 000	87, 400	103, 500	123, 100
Sausages.....do...	82, 200	78, 300	78, 800	76, 000

EXPORTS FROM AUSTRIA-HUNGARY.

Categories.	1876.	1877.	1879.	Eleven months of 1880.
Hogs.....head..	457, 206	403, 015	262, 006	211, 876
Lard and fat.....kilos..	285, 800	113, 300	130, 300	89, 000
Prepared meat.....do...	266, 100	339, 000	347, 100	298, 700
Sausages.....do...	144, 000	182, 600	190, 800	129, 100

No. 69.

Mr. Delaplaine to Mr. Blaine.

No. 453.] LEGATION OF THE UNITED STATES,
Vienna, April 1, 1881. (Received April 20.)

SIR: Referring to dispatch No. 438, I herewith inclose a copy of the reply (received to-day) of the imperial royal minister for foreign affairs to Mr. Kasson's note of March 18, 1881, the latter containing a formal protest against the official order of prohibition of the importation of swine-meat and swine products from the United States into Austria-Hungary.

I have, &c.,

J. F. DELAPLAINE.

[Inclosure in No. 453.—Translation.]

Under Secretary of Foreign Affairs to Mr. Delaplaine.

VIENNA, *March* 29, 1881.

The undersigned has had the honor to receive the esteemed note of the 18th instant, wherein the envoy, Mr. John A. Kasson, saw fit to protest in the name of his Government against the ordinance issued by the governments of both portions of the Austro-Hungarian monarchy under date of the 10th instant in respect to the prohibition of the import of hogs, swine-meat, lard, and sausages from the United States of America.

So far as this protest is based on Article V of the treaty of commerce and navigation of August 27, 1829, the undersigned begs respectfully to remark that consideration for the preservation of the public health is the exclusive cause of said prohibition.

An appeal to Article V of the treaty referred to does not appear here to be pertinent, because the renunciation therein contained upon the issue of prohibitions of import which are not of general nature can not prejudice a prohibition which is issued from sanitary considerations.

The whole practice under the treaty confirms this comprehension, and is precisely the same which has been already once used towards the United States of America, when Austria-Hungary was obliged, for the purpose of preventing the introduction of the Colorado beetle, to prohibit the import of potatoes from America. That government then raised no objection.

In fact it is impossible that the intent of the enactments of Article V can go so far as to interdict the parties which have concluded the treaty from adopting such protective measures as circumstances may offer for preserving their sanitary interests. Let it be assumed, for example, that a pestilence should break out in one or the other of the two countries, then no cause of complaint for violation of treaty would exist against the country free from pestilence in case a prohibition should be decreed upon such of the articles of export of the other as are of immediate danger to health.

Similarly in the present case it affects products of the United States of America, the consumption of which, according to the judgment expressed by professional authorities, must be regarded as unquestionably dangerous to health.

Thus the sanitary congress, in particular, which was held at Amsterdam in the year 1879, declared unanimously that the import to Europe of American swine-meat and other products of swine should be prohibited. In fact, trichinæ were found on repeated occasions in the examination of hams and shoulder-pieces coming from North America, in different places of the monarchy, as well as since the year 1879 in Trieste.

The precautionary measures which were taken at that time against the introduction of trichinæ, whereby a strict scrutiny and examination of the imported kinds of swine-meat from North America was ordered, could not calm the apprehensions of the population of the Austro-Hungarian monarchy.

The issue of a prohibition of the import of swine and the products of the same from the United States of America was therefore constantly and pressingly demanded. Moreover, similar prohibition of import exists in Italy, Germany, and France.

As regards the omission of a previous announcement to the Government of the United States of America of the introduction of the prohibition in question, the undersigned begs respectfully to remark that ordinances of a sanitary nature, and pertain-

ing to the police department in Austro-Hungary, always go into operation on the day of their publication; therefore a previous notification of the measure adopted to the country thereby affected, or to its government, can not take place.

The undersigned avails himself of this occasion to renew to the chargé d'affaires the expression of his very distinguished consideration.

For the minister of foreign affairs.

KALLAY.

Mr. JOHN F. DELAPLAINE,
Chargé d'Affaires of the United States of America.

No. 70.

Mr. Blaine to Mr. Phelps.

No. 2.] DEPARTMENT OF STATE,
Washington, June 9, 1881.

SIR: I transmit herewith copies of an exhaustive report,* prepared by the officer of this Department who was recently detailed to make a searching and impartial investigation concerning the truth or untruth of the alarming rumors which have prevailed of late as to the alleged unhealthfulness of the pork products shipped to foreign countries from the United States.

This investigation was forced upon this Government by the disastrous effects produced abroad by those rumors, and by the action of several European governments in stringently restricting or prohibiting the importation of the swine products of this country.

It was undertaken in the most impartial spirit, and with full recognition of the weighty responsibility which would rest upon this Government should the prevalent rumors be substantiated. Had it been found that this great American industry was the means of disseminating disease and death abroad, no admission could have been too frank or prompt, and no repressive measures too urgent to vindicate our national good faith. As it is, the result goes beyond our most sanguine expectations in disproving the statements which have unhappily wrought such injury upon one of our most general and valuable branches of foreign commerce.

The files of your legation will show you the earnest efforts made by your predecessor to arrest these injurious rumors and prevent restrictive action on the subject by the Austro-Hungarian authorities. It is now desired that you should, after acquainting yourself with the facts shown in this report, bring it earnestly to the attention of the Austro-Hungarian Government, adding thereto such representations as, in your own good judgment, may induce an abandonment or very material modification of the oppressive measures which have been adopted in Austria-Hungary with regard to the American pork trade. You may say that the entire good faith with which this investigation has been here conducted warrants us in expecting that the Government of His Imperial and Royal Majesty will accept and act upon the result in equal good faith. You may also profitably advert to the singularly gratifying action of the Belgian Government, which, disregarding popular clamor and unscientific prejudice, and examining the question fairly upon its merits, reached some time since the conclusion to which this Government is irresistibly led, that of the widely spread food-staples of the

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*This report is printed entire at the end of this document.

world's commerce, none is grown, packed, and exported under conditions more calculated to assure safety and wholesomeness than the pork product of America.

You will give to this report the widest possible publicity. A number of copies will be sent to you, for this purpose, under separate cover.

I am, etc.,

JAMES G. BLAINE.

No. 71.

Mr. Phelps to Mr. Blaine.

No. 6.] LEGATION OF THE UNITED STATES,
Vienna, July 2, 1881. (Received July 16.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 2, and of the accompanying report, embodying the results of an examination had as to the truth or untruth of the stories that American pork was largely tainted with disease. Other copies, under separate cover, have since been received. In accordance with the wishes of the Department, I have taken immediate action to give the gratifying results of this examination the widest circulation. I sent to the minister of foreign affairs a communication, in which I stated the results of the Department's investigation, and made an earnest request for an abandonment or very material modification of the oppressive measures which have been adopted in Austria-Hungary with regard to the American pork trade.

I transmit herewith a full copy of this communication and beg leave to call the Secretary's attention to a few considerations which influenced me in drafting it.

I deemed it wise to recall the history of my predecessor's efforts to anticipate and prevent any action by His Majesty's Government. This recapitulation seemed valuable, as bringing into a single paper, for the convenience of all, the whole case as it stands to-day, and still more valuable as forcing the attention of the minister to the fact that the results of the examination strangely confirmed all the representations Mr. Kasson had made of his individual knowledge and belief.

I thought this history would also show with what zeal we had labored to escape from threatened injustice, and with what patience, under confidence of final redress, we bore the injustice when inflicted. Attention was also called to the spirit, the methods, and the results of the investigation, seriatim—the value of the conclusions depending so much upon the impartial and thorough search for the facts from which they are logically deduced.

The declarations of the Department as to the spirit of fairness and impartiality in which the investigation was inaugurated, were so frank and bold that I had no hesitation in repeating this assurance in the strongest terms; and the processes of the examination were so wise, comprehensive, and searching, that it was a pleasure to call them to attention. The results I endeavored to sum briefly and clearly, and, in sending them copies of the report, challenged them to find these results other than those properly deduced from the evidence accompanying them. Nor did I neglect to call attention to the gratifying action of the Belgian and Swiss Governments—taking care, as I was without official information, to qualify the assurance in the case of Switzerland.

In conclusion, I called attention again to the patience we had shown in bearing an unnecessary restriction to our trade, to the quiet energy and transparent good faith in which the investigation was conducted, and to our exhibition of entire confidence in His Majesty's Government's readiness to undo the wrong, as soon as convinced that its view of the facts was incorrect, by refusing, except by allusion as a necessary pleading to save future rights, to urge the unpleasant charge that the restriction complained of was a gross violation of the fifth article of our treaty of commerce of 1829.

I hope the honorable Secretary will not be displeased with the position I have taken and the manner in which I have stated it; and if he shall find that any expressions in the communication to His Majesty's minister exhibit less than diplomatic indifference, that he will consider how inadequately they represent the impatience with which one bears restrictions upon trade so harmful and yet so needless.

I have, etc.,

WILLIAM WALTER PHELPS.

[Inclosure in No. 6.]

Mr. Phelps to Minister for Foreign Affairs.

LEGATION OF THE UNITED STATES,
Vienna, July 2, 1881.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, as preliminary to certain requests he has been instructed earnestly to address to the Imperial and Royal Government of Austria and Hungary, begs leave to recall to the recollection of his excellency, the minister of foreign affairs, certain past facts and circumstances connected with the subject, and to present certain new ones.

On the 28th day of February last, Mr. Kasson, then the representative of the United States at this court, solicited and obtained the honor of a personal interview with the imperial and royal minister of foreign affairs. He sought this interview in a laudable desire to prevent, if possible, any governmental action which should restrict or prohibit the trade in American swine-meat. There were rumors that such action was thought of, and confident, from his own knowledge of the subject, that it was unnecessary and would work injustice, he hoped, by a frank communication of his views, to bring the Austro-Hungarian Government to the same conclusion. It was important to anticipate and prevent action, for if once taken, though it were immediately revoked, it could not fail to excite suspicion and fear in the minds of ignorant consumers, and so injure the trade.

He made a memorandum of some of the points which he urged in this interview, and, by request, transmitted it to the ministry of foreign affairs.

A glance at that memorandum, doubtless still on its files, will show that, on personal knowledge and belief, Mr. Kasson urged that the popular outcry against American pork was the work of speculators on the two continents, who had skillfully manipulated the press for that purpose.

That for their selfish purposes, false news, even when of a kind which would be easily and directly contradicted, was of value; and cited the familiar fact that the price of American pork, which fell when the newspapers reported a French family as ill from eating American pork, remained low and did not rise upon announcement, after official examination, that the pork was not American after all, but French; that it was in Germany that Americans first heard of trichinosis; that animal and unclean food was a necessary condition of the disease, and yet in America, and in America only, was the food of the swine confined to Indian corn, the cleanest of vegetable products.

These considerations were urged by Mr. Kasson, it will be remembered, on his own knowledge and belief. On the next day his convictions were strengthened by the receipt of a telegraphic dispatch from the Secretary of State telling him that he was authorized by his Government to deny the reports of disease among American hogs. This telegram—under the promptings of the zeal he had already displayed to save His Majesty's Government from what seemed to him a needless and unjust act—he communicated immediately to the minister of foreign affairs, and included in the

same communication, from information otherwise obtained, the fact that more German and Servian pork had been condemned for trichinæ than American, and that in Vienna itself hams from Westphalia had been examined and condemned for this disease.

Mr. Kasson's hopes and efforts to avert what seemed to him an error and a wrong were in vain.

On the 10th of March the joint ministries of the interior, of commerce, and of finance, signed, and on the 16th of the same month published, an ordinance which, immediately and without notice, prohibited the importation of the American hog in any form in the Austro-Hungarian monarchy. The prohibition was simple and direct. It gave no reason, and it included in the proscription the hog product of no other country.

Mr. Kasson immediately, on the 8th of March, forwarded to His Majesty's minister of foreign affairs a courteous but firm protest against this action as unnecessary, invidious, and in violation of treaty obligations; *unnecessary*, because the cause, if as conjectured it was disease, had not been shown to exist in American pork, or, if shown, not shown to exist in greater degree in American than in other pork; *invidious*, because the ordinance, notwithstanding, excluded none other than American pork, and a violation of the obligations of the treaty of 1829, which demand that there "shall be no prohibition on imports from the United States which shall not equally extend to all other nations."

To this protest His Majesty's minister of foreign affairs made, on the 29th day of March, courteous reply, informing Mr. Kasson that the prohibition was on sanitary grounds, and giving reasons why, in the judgment of his excellency, it was not considered by His Majesty's Government any infraction of the treaty.

To the American Government this reply was unsatisfactory, as it assumed the fact of disease in American pork, which the American Government did not believe to be a fact; ignored the fact, which seemed to be fairly proven, that the disease did exist in other pork, and offered as reasons why the exclusive prohibition of American pork was not in contravention of the treaty, only considerations grounded on these disputed facts as premises.

And yet the Government of the United States submitted in silence, and since the ordinance, the protest, and the reply, neither Mr. Kasson nor his successors in this legation have, by oral or written applications, vexed His Majesty's Government with applications for reconsideration and redress.

To save annoyance to His Majesty's Government, and in reliance on its good faith and its cordial desire to do no harm to a friendly country, the American legation preferred to await the result of an investigation which the Department of State had ordered to be made concerning the truth or untruth of the alarming rumors which have prevailed of late as to the alleged unwholesomeness of the pork products shipped to foreign countries from the United States.

This investigation is now finished, and the results of it have been sent to this legation. The results so fully confirm all that Mr. Kasson claimed in the premises, that the undersigned deems it his duty to lay them immediately before his excellency, and to ask for them that prompt consideration their importance demands.

It may be proper, before submitting these results, to call your excellency's attention to the *spirit* in which the investigation was inaugurated and the *method and processes* of its conduct.

The officer in charge was instructed "to make a searching and impartial investigation," and the Secretary of State affirms "that the investigation was undertaken in the most impartial spirit, and in full recognition of the weighty responsibility which rested upon the Government." Could more be said for the *spirit* in which the work was begun?

The *methods* adopted to complete it were such as were best calculated to obtain the sole object of the examination—discovery of the truth.

The examination was in public, in a country where the newspapers report everything and everybody reads the newspapers, and the subject of examination was a branch of trade so general and important as to attract the attention of all.

The examination was comprehensive, not restricted or local. It did not confine itself to a single city nor to the witnesses that could be brought to a single hall. It went forth and sought its witnesses everywhere that no restrictions of person or place might narrow and color its discoveries. It sought those engaged in the different branches of trade and so conspicuous in it, that they knew their words would be read by hundreds of rivals and thousands of employés whose personal knowledge would, on the spot, convict them of any attempt at concealment, prevarication, or falsehood. But not to those who raised swine, to those who slaughtered them, to those who packed them, to those who forwarded them was the examination confined. It was not limited to those of whom it could be said "They are in the trade and sordidly interested." Guardians of the public health, officers in chambers of commerce and boards of trade, high officials in railway management, economists, and scientists of

high reputation voluntarily, or by request, contributed their knowledge and experience to this exhaustive investigation.

In considering the conditions under which it was held your excellency can not attach too much importance to this consideration. The market value of the staple must rise or fall with the nature of the evidence given. Many of those who gave the evidence were in a position where some would gain by a rise and some by a fall in the price, and yet, in the bright light of the publicity, where workmen, clerks, partners, and rivals were to hear each word, none dared to tell anything except the truth, and the truth all pointed to the same conclusion—the strange exemption of the American full-grown and marketable hog from disease.

Having called his excellency's attention to the methods of the investigation, the undersigned begs briefly to sum the *results*.

The swine in America is fed on Indian corn or maize, the cleanest of vegetable products.

American swine are not more liable to disease than European.

That diseased hogs can not pass the inspection preliminary to slaughter, or if this is possible, hog-meat can not pass even the most careless inspection.

That merchantable lard can not be produced from diseased animals.

That Chicago and Cincinnati—the great pork-consuming centers—are free from trichinosis.

That in all reported cases of human suffering it has been found that the pork was eaten uncooked.

That the hogs selected for the foreign market are equal to those selected for the home market.

That the rumors of great disease in American swine came from the confused use of the words "hog" and "pig." A hog is a grown swine ready for market. A pig is a young, ungrown swine, not of age for the market. And it is among young swine, that is, among pigs, that the larger proportion of deaths by disease occur.

As the investigation was public, so are the facts elicited by it and the conclusions derived from them public for the purpose of challenging the widest criticism. The American Government has published them in pamphlet form and desires to secure for them a large circulation. The undersigned has the honor to transmit herewith four copies of this pamphlet, and begs your excellency's careful attention to the contents. He would be gratified if he might trouble his excellency to make such disposition of the extra copies as will the more speedily bring them to the attention of those officers or ministers peculiarly interested in the subject.

Before addressing the request, which would naturally follow this presentation of the subject, the undersigned has the honor to suggest that if any doubt remain as to the value and truth of the results obtained by this investigation, it should not be forgotten that they are confirmed by the action of the Belgian Government. This Government, disregarding popular clamor and unscientific prejudice, examined the question fairly upon its merits and reached the conclusions to which the American Government was irresistibly led, that of the widely-spread food staples of the world's commerce none is grown, packed, and exported under conditions better calculated to assure safety and wholesomeness than the pork product of America.

Nor will his excellency have failed to notice that Viennese journals report that the Swiss Government has followed the example of Belgium in removing all restrictions upon the importation of American pork.

In conclusion, the undersigned hopes his excellency will find ample apology for the length of this communication in the importance of the subject, one that concerns an important branch of American trade, and a restriction which his Government believes to be unjust, invidious, and in violation of the treaty of commerce so long existing between the two nations; and he begs leave to inform his excellency that he is instructed by his Government to bring these facts earnestly to the attention of the Austro-Hungarian Government, and to ask, in view of them, an abandonment or very material modification of the oppressive measures which have been adopted by His Majesty's government in regard to the American pork trade. He is further instructed by the honorable Secretary of State to say that the entire good faith with which this investigation has been conducted warrants the American Government in expecting that the Government of His Imperial and Royal Majesty will accept and act upon the results in equal good faith.

The undersigned ventures to hope that in the consideration of this request your excellency will have in mind the patience with which a restriction seeming to the American Government so unnecessary and unjust has been borne; the promptitude, thoroughness, and good faith in which it put itself to the task of gathering arguments which should convince others of a needlessness and injustice so patent to itself, and that in reliance upon the disposition of His Majesty's government to instantly remove a restriction which seemed unfriendly and harsh, so soon as convinced that it was unnecessary, it has avoided any allusion, except in the protest (where mention was made of it, that the right to plead it might not be lost). to the view the American Govern-

ment believes it might take a restriction which singles out an important product which America shall not import into Austria-Hungary, but all other countries may, as a plain and palpable violation of the treaty of 1829, and bearing these evidences of American patience, faith, and good-will in mind, that your excellency will be pleased to give this matter prompt attention.

The undersigned takes this opportunity to express to his excellency the imperial and royal minister of foreign affairs his most distinguished consideration.

WILLIAM WALTER PHELPS.

No. 72.

Mr. Blaine to Mr. Phelps.

No. 8.] DEPARTMENT OF STATE,
Washington, July 27, 1881.

SIR. I have read with pleasure your No. 6, of the 2d instant, relative to the restrictions upon the importation of American pork into Austria-Hungary. Your representations thereon appear to have been energetic and discreet, and are approved, as reflecting the views of this Department.

I am, etc.,

JAMES G. BLAINE.

No. 73.

Mr. Sterne to Mr. Hitt.

No. 24.] UNITED STATES CONSULATE,
Budapesth, October 19, 1881. (Received November 10.)

SIR. I transmit herewith two clippings of the Pester Lloyd newspaper (in duplicate), both being on the subject of the pork question.

The first one, of October 13, contains, in short, that—

> The mixed commission which has been appointed upon representations by the United States Government, aiming at the repeal of the act of prohibition against American pork, has concluded that no cause exists to rescind the act of prohibition which has been passed in the interest of public health.

It seems that the present action was specially based upon "important explanations by Mr. Mihalovics." I have taken steps to discover in what these "explanations" consist, and will inform the Department thereon as soon as I gain the information. The second clipping, of October 18, I transmit because it not only shows that the agitation against American pork is continued, but also because it contains words which may be called "skirmishers" against American meats in tin cases. I translate that part of this clipping which speaks of this canned meat:

> Pork is also shipped in tin cases, against which mode of putting up warnings have already been published, from the fact that *beef* packed in cans has frequently been proven dangerous to health. It is therefore important to repeatedly warn the public against the use of canned meats in general.

In treating this question in general, I hope the Department will not lose sight of the fact that Hungary imports very little, if any, meat of and kind, and that though it claims "sanitary" motives for its actions, the real motives are more likely to be found in "political economy."

I am, &c.,

HENRY STERNE,
United States Consul.

[Inclosure 1 in No. 24.—Clipping from Pester Lloyd, of October 13, 1881.—Translation.]

ON THE PROHIBITION OF THE IMPORTATION OF AMERICAN PORK.

To-day the deliberations of the mixed ministerial commission were directed to the representations of the American Government, designed to secure the abrogation of the prohibition of American hog products. The commission assembled under the presidency of Hon. George von Lukacs, the acting secretary of state. The members present were Leopold Gross, section councilor; Ludwig von Gross-Csatari, of the sanitary council; Director von Tormay, ministerial; Secretary von Mihalovics, and Secretary Dr. Lorinczy. Mr. Gross-Csatari, of the sanitary council, stated the causes of the prohibition and the present aspect of the question in a long speech, and impressively depicted the danger which might follow the abrogation of the prohibition. Leopold Gross and Director Tormay expressed the same opinions, and finally Hon. von Mihalovics gave important explanations on the subject. The ministerial commission then adjourned, with the resolution that no grounds existed for abolishing the prohibition issued in the interest of the public health.

[Inclosure 2 in No. 24.—Clipping from Pester Lloyd, of October 18, 1881.—Translation.]

AMERICAN PORK—(PACKED IN BOXES).

The "Fundgrube" was the first journal in Germany to warn the public against the use of pork and lard imported from America. This warning was published on reliable data from the United States, that careful examination of these articles showed conclusively the presence of trichinæ therein, and further, because many weighty reasons strengthened the suspicion entertained that both the meat and lard of animals diseased during a wide-spread epidemic were used and exported to Europe by unconscionable speculators. Our publication on this matter aroused at that time, even in America, the greatest excitement, and efforts were made from both private and official sources to refute the statements. Indeed, one American consul in Germany went so far in the excess of his zeal as to threaten a paper which had copied the article from the Fundgrube with a judicial suit. Since then, however, even American papers have published declarations proving that our information in regard to the export of meat and lard of diseased animals was only too well founded. Further, in relation to trichinæ in American pork, the truth is known in spite of all to the contrary from America, and attempts at palliation can no longer avail. Not only have numerous inquiries in Germany and France proved that American pork is infested with trichinæ, but even in America lately, through competent judges, it was discovered that nearly 5 per cent. of hogs there are trichinated. Therefore, the standing prohibition in many of the European states against the importation of infected meat is completely vindicated. As, however, these meats are sent in tin cases, which on examination have repeatedly been proved to be injurious to health, it will not be out of place again to give general warning against the use of American meats packed in boxes.

BELGIUM.

No. 74.

Mr. Steuart to Mr. Hay.

No. 58.] CONSULATE UNITED STATES OF AMERICA,
Antwerp, February 24, 1881. (Received March 10.)

SIR: The recent arbitrary decree of the French Government forbidding the importation of salted pork from the United States into France has called forth the following declaration from the minister of the interior of Belgium, in response to an inquiry from a member of the Legislative Chambers, and it is gratifying to know that there is one port and one people not yet ready, through ignorance, prejudice, or jealousy,

to drive away from their doors an article of food that has become a necessity, and a business that has grown to the dimensions of the pork trade.

A member, alluding to the decree as one that would be likely to create trouble in the country, said that although he was sure from all the information he could gather that there was not a single case of trichina in Belgium, yet it would be very satisfactory to hear officially from the minister of the interior that no danger existed.

The minister of the interior replied that he could not occupy himself with the measure that had been taken in France, but was able to inform the honorable member in all things concerning trichina in Belgium. For a long time past the Government has had under consideration the danger arising from the consumption of salted and pickled pork meat. For twenty years the academy and the hygienic society have examined the question, *but never a single case of trichina has been discovered.* It is established that the cooking renders the meat harmless, and there is very little raw meat consumed in Belgium. *No case of trichina has been brought to my notice, and the Government does not intend to take any preventive measures.* It will limit itself to such recommendations as it may deem necessary.

The member declared himself satisfied, and said he had only made the inquiry to give assurance to the country.

A member for Antwerp thanked the minister for his declaration, as the business done in this city in salted pork is very large, and the bourse had been somewhat affected by the French decree.

I am, &c.,

JOHN H. STEUART,
United States Consul.

No. 75.

Mr. Putnam to Mr. Erarts.

No. 54.] LEGATION OF THE UNITED STATES,
Brussels, February 25, 1881. (Received March 10.)

SIR: I have the honor to state that an incident in the debates of the House of Deputies of Belgium, on the 22d instant, was the following brief discussion upon the question of diseased American pork.

Mr. WILLEQUET. A decree of the French Government has prohibited the introduction of American salt-pork provisions. This measure has produced some disquiet in our country. I rise to ask if there are any dangers arising from their use in Belgium.

Mr. ROLIN-JACQUEMYNS, minister of the interior. No case of trichinosis has been discovered in our country. Some cases of it have been found in pork destined for foreign countries, which were in transit through Belgium. Moreover, all danger disappears when the meat is sufficiently cooked.

Mr. DE DECKER. Salt-pork provisions constitute one of the important branches of the commerce of Antwerp. I believe there is no real danger, and I hopo the Belgian Government will not follow the example of France.

I regard the statement of Mr. Rolin-Jacquemyns, the secretary of the interior, indicative of the friendly policy of the Belgian Government toward our salt-meat provisions entering the port of Antwerp.

I have, etc.,

JAMES O. PUTNAM.

No. 76.

Mr. Putnam to Mr. Blaine.

No. 59.] LEGATION OF THE UNITED STATES,
Brussels, March 9, 1881. (Received March 26.)

SIR: I have the honor to state that finding in the London morning papers of the 6th instant a telegram from the United States embodying the substance of the resolutions of the Cincinnati Chamber of Commerce, and the Indianapolis Board of Trade, relating to the alleged diseased condition of American pork exported to Europe, also the substance of a communication of the English consul at Indianapolis to the English consul at Philadelphia, certifying the generally healthy character of that branch of our commerce, I inclosed it to-day with a note to the minister of foreign affairs, calling his attention to the statements. I handed it to Baron Lambremont, the chief secretary, and had some conversation with him on the general subject.

He stated that the action of the French Government in relation to American meats had made a "panic" in Belgium, particularly among the peasantry, with whom our hams and lard are a large element of subsistence. The lard is used in place of butter. That it was the purpose of the Belgian Government to thoroughly examine the questions involved, which were, first, are American salt provisions diseased, as alleged? Second, if so, is the difficulty overcome by proper care in their cooking? That it was a very important matter, both to the United States and to Belgium, and the Government wished to learn the exact facts.

He spoke with all due reserve, but it is my opinion that the Belgian Government will take no prejudicial action in the matter except upon positive proof that sanitary considerations demand it. I believe the feeling here is most friendly to that branch of our commerce on general principles. How little the Goverment is disposed to yield to any panicky feeling I think I revealed by my dispatch No. 54.

I have, etc.,

JAMES O. PUTNAM.

No. 77.

Mr. Blaine to Mr. Putnam.

No. 37.] DEPARTMENT OF STATE,
Washington, March 11, 1881.

SIR: Your No. 54, of the 25th ultimo, giving the outline of a recent interpellation in the House of Deputies touching the importation into Belgium of American salt pork provisions, has been received. It is gratifying to perceive that the Belgian cabinet is disposed to look at the question fairly and practically, and without heeding the adverse clamor against American pork which is now prevalent in certain quarters of Europe, and which the earnest inquiries of this Government fail to trace to any other source than nefarious speculation to the injury of legitimate trade.

I have telegraphed to our legations in London, Paris, and Vienna emphatic denial of the alleged alarming mortality among American hogs.

The concurrent testimony of the great packing centers of the West is that the swine of that region have never before been so free from contagious disease or mortality.

I am, etc.,

JAMES G. BLAINE.

No. 78.

Mr. Putnam to Mr. Blaine.

No. 67.] LEGATION OF THE UNITED STATES,
Brussels, April 30, 1881. (Received May 16.)

SIR: Referring to my dispatches, Nos. 54 and 59, relating to the favorable expressions of the Belgian Government regarding American pork, I have the honor to inclose herewith a circular letter from the minister of the interior on the same subject, published this morning in the official journal. The subject-matter, after the prohibitory action of the French Government, was referred to the official council of public health, and the minister of the interior states that he has adopted the conclusions of the council in their fullest extent.

The substance of their report, made after careful examination, is as follows:

1st. That disease generated by trichinose is unknown in countries where, as in Belgium, pork is sufficiently cooked; that it has been demonstrated by many experiments that the trichinose can not resist a temperature of 56° Centigrade, and that they are invariably killed at a temperature of 75° to 100° C.

It is important [continues the report] to make known the fact that pork well cooked, whatever trichinose it may contain, is entirely inoffensive, and that consequently no one need suffer from this cause unless he wishes to, and nothing is necessary except scrupulous persistence in use of needful precautions of the kitchen.

It concludes with a few details of the proper method of cooking pork, and the circular letter of the minister of the interior closes as follows:

These simple and easy precautions are dictated by experience and recommended by those most competent to judge. I pray you, governor, cause them to be published in the official journal, to the end that the commmnal administrations may bring them to the knowledge of all citizens, and that they may receive the widest publicity.

This final action of the Belgian Government, from considerations so broad and just, is in accord with its original determination to make no change in its friendly policy toward that branch of our commerce, except upon good and sufficient reasons.

The action of the French Government naturally created a distrust among the peasantry of Belgium. That distrust, amounting to a panic, has been met by the Belgian Government in the just and enlightened manner I have herein indicated.

I have assured the Government of Belgium that the Government of the United States will learn with great satisfaction of this, its action, based upon a careful and scientific examination of the whole question.

I have, etc.,

JAMES O. PUTNAM.

No. 79.

Mr. Steuart to Mr. Hitt.

No. 66.] CONSULATE UNITED STATES OF AMERICA,
Antwerp, May 6, 1881. (Received May 21.)

SIR: In the unjust war now being waged in Europe against American pork, under the thin pretense of protecting the sanitary condition of the people, Belgium has maintained an honorable and consistent position, positively refusing to prohibit importation, or to advise or adopt any measure calculated to injure the large business done here in that article.

As Antwerp is one of the largest markets for the salted meat exported from America, every action of this Government is of importance and interest. I have, therefore, pleasure in handing herewith a translation of a circular letter recently issued by the minister of the interior to the governors of the different provinces, and also a report of the superior council of public health, both relating to the present agitation of the trichina question, and as they are liberal, sensible, and strongly in contrast to the hasty action taken by other governments, I have thought best to hand them to you for your consideration and use.

I have, etc.,

JOHN H. STEUART,
United States Consul.

[Inclosure 1 in No. 66.]

Translation of the circular from the minister of the interior to the governors of the provinces of Belgium concerning trichina.

BRUSSELS, *April* 28, 1881.

The attention of the Government has lately been called in a special manner to the danger threatening the public health from the consumption of pork meat imported from America and suspected to contain trichina.

No case of trichina has yet been reported as having been discovered in our country, but it is claimed that the American salted provisions, which so abundantly reach our markets, are often infected with trichina. Some persons consider it a necessity to warn the country against the dangers which may arise from this state of things with measures similar to those taken by other countries, and particularly by France. In fact, the President of the French Republic, by decree of 18th of February last, prohibited the importation into any port of France of pork meat coming from the United States of America.

Would the prohibition of American meat into Belgium, which would be a radical measure and one of very serious importance, be sufficiently justified by the actual circumstances?

Could it be possible to organize, at least at the landing ports and in the principal centers of population, a special service of microscopic inspection sufficient to guaranty to every one the harmlessness of the imported meat?

Interrogated by the House of Representatives and by the Senate at the time of the discussion of the budget of the Department of the Interior, I thought I could answer both questions negatively. The reasons which decide me not to take the prohibitory or controlling measures are perfectly set forth in the report of the superior council of public health which follows this circular—a report the conclusions of which I have fully adopted.

To recommend to the people to consume the pork meat only after a sufficient cooking is the only practical manner in which the administrative authorities ought to answer the fears which are manifested, and to satisfy, in a just and reasonable measure, the mission of supervision which they have to exercise over the public health.

The search which has been pursued since the first discovery of trichina affecting persons has shown, says the superior council of public health, that this parasite disease is unknown in the countries, like Belgium, where pork meat is submitted to complete cooking.

On the other part, numerous experiments have proved that trichina do not even resist the temperature of 56° Ct., and that they are infallibly killed in the meat of which the cooking has attained from 75° to 100° Ct. It is, then, important to make known that the pork meat well cooked, although trichina may be present, is completely harmless, and consequently "those only have the disease who wish to have it," by not following the cooking customs of the country, and if they have been put aside to return to them and observe them more and more scrupulously. Then, giving a practical form to these conclusions, the superior council of public health ends it report by the following recommendations:

1. The duration of the boiling of pork meat, previously cut, must be prolonged for a calculated time, say of one hour per kilogram, considering also that the addition of a small quantity of vinegar to the cooking water renders it more promptly efficient.

2. The action of fire upon the meat, grilled or roasted, should be continued until from the thickest part of the piece there does not flow any pink juice.

3. There shall not be used any raw meat in any preparations where it does not undergo the above-mentioned degree of heat in cooking. These simple and easy precautions are dictated by the experience and recommended by the most competent men. I therefore beg you, Mr. Governor, to have them inserted in the administrative memorial, so that the communal administrations may make them known to all the inhabitants, and that they should have the largest possible publicity.

The minister of the interior:

G. ROLIN JACQUEMYNS.

[Inclosure 2 in No. 66.]

Translation of the report of the superior council of public health upon trichina.

ANTWERP, *May* 6.

GENTLEMEN: For some time past public attention has been directed to the danger to which the public health is exposed by the importation into Europe of large cargoes of pork meats coming from the United States of America, which are more or less suspected of trichinous infection.

Last November the meat inspector of Lyons discovered a great number of trichina in leaf lard coming from New York. On fifty samples, three were infected.

This fact having been published, and Dr. Laboulbène having reported to the Academy of Medicine of Paris, in its meeting of February 15, last, that a small epidemic from trichina had prevailed a few years ago at Crepy en Valois, caused, strange to say, by native pork, a regular panic was produced in France, to which the Government thought proper to apply a prompt and radical remedy; and by decree of the 18th of the same month the President of the French Republic prohibited on all the territory of the country the importation of all salted pork meat coming from the United States of America.

This grave measure, taken from the unanimous advice of the consulting committee of health of France, produced a deep and very legitimate excitement, as much for the political economy as for the public health.

This excitement was deeply felt in Belgium, and the attention of the Government was called to it by Mr. Willequet, member of the House of Representatives, in the sitting of the 22d of February. Answering the interrogatory of the honorable member, the minister of the interior stated that during the fifteen or twenty years that this question has been raised the Government has never ceased to consider it.

In 1865 Mr. Gluge, one of the members of the Royal Academy of Medicine, called attention to this matter on the occasion of the discovery of some trichina epidemics in Germany, and demanded information upon the means to be taken to prevent its invasion into Belgium, and also requested the academy to spread abroad, for that purpose, instructions destined to warn consumers. The superior council of health was also consulted, and at that time, as in 1873, considering that no case of trichina had as yet been discovered in this country, they formally declined to advise the prohibition of the importation of foreign pork meat.

The situation having remained the same, the minister has expressed the opinion that it was not necessary to have recourse to such a measure; that besides it was perfectly established that trichinated meat does not present any danger when sufficiently cooked, and that this fact was well ascertained and made popular by numerous publications.

The Government shall continue, he said, to keep posted as to the sanitary condition in this matter; he shall have the imported meats examined as often as possible, and shall soon again recommend the precautions to be taken for the consumption of these meats.

For this purpose the minister of the interior, per dispatch dated March 5, has recalled the attention of the superior council of health to the documents relating to the trichina, which he had already submitted, and invited them to submit the question for examination.

The documents emanating from the medical commission of the province of Antwerp, from Mr. Vele, veterinary surgeon of the government in that city, etc., have chiefly for their object the preventive measures which could be made useful in the occurrence, in the interest of the public health. The commission which has been charged with the new study of the question has studied it thoroughly, and has confided to us the care to give account of its deliberations.

It seemed important first to restrain the danger to its just proportions, and to ascertain if the danger is really worthy of the excitement which it had caused; and from the examination made it results that it is, to say the least, very much exaggerated. In fact, in the large quantities of suspected meat imported since a long time from America and other countries into Belgium no case of trichina has ever been know.

The parasitism which constitutes the element of this disease seems not to have produced itself in a manner to be reached, which can be explained on the one part by the custom of submitting the meat to complete cooking, and on the other by the fact that the salting as it is practiced for export kills the trichina, and therefore renders it entirely harmless. This is proved from numerous experiments by Messrs. Kirchenmeister, Haubner, Leisering, Colon (of the school of Alfort), and more particularly by those, very conclusive, with which this last has recently entertained the Academy of Medicine of Paris.

In the American salt provisions the trichinas are, then, generally dead, at least in the superficial coating, but in the deeper parts, of the hams for instance, they may have escaped the action of the salt.

As the danger exists by reason of this well-known fact, it is proper to advise and warn the people against these more or less serious consequences.

Three means have been put in practice or recommended to that effect:

1. Prohibiting the importation of pork meats from America.

2. The inspection of these meats in the ports of arrival and in the large centers of population, such as the city of Antwerp, where this article of food occupies such an important place in its commercial transactions.

3. An instruction to spread amongst the people so as to advise them of the necessity to submit to complete cooking pork meat of every kind.

I. The prohibition of salted pork meat coming from America is not to be recommended. Such a measure would greatly injure the trade, and would be prejudicial to the interests of the working class, who would find themselves obliged to dispense with an article of food which they now obtain at low prices.

On the other hand, it would be illusory as to the public health. It would imply that the danger of trichina infection existed exclusively in foreign pork meat, and that the native pork might be eaten raw with impunity. Then if (which is not known and seems doubtful) the native pork was formerly free from trichina infection, is it still so? Is there no reason to believe that it may be more or less infected with the said intestinal worms by the importation of meat infected with trichina, say by the wastes of bacon and hams which contain them, or by the digestions of persons who have consumed the meat, and who, by reason of the small quantity of trichina existing, or by the destruction of the greater part by cooking, have not been seriously affected?

The affirmative, demonstrated for France by the case of the pork which caused the small epidemic in Crepy le Veloise, seems equally probable for Belgium. Besides, the prohibition could become injurious to the health as well as to commerce. This measure, so hurtful to commercial transactions, and that could even injure the public health, is, then, not to be advised.

II. And now comes the question if there should not be organized an inspection of the said meats at the ports of arrivals. At first sight the thing seems desirable; but outside of the impossibility to procure the number of special inspectors, well accustomed to the use of the microscope, which this organization would need, there could still result a dangerous illusion. It would not be possible, however numerous and skillful these inspectors might be, to submit to a complete examination all the pieces contained in the large boxes which would be presented to them, nor even a small number of these pieces, and then, among the meat which could not be examined, or imperfectly examined, there might be some pieces infected. Again, the inspection which would be made, without finding the worms, would seem to be a guarantee for the consumers, who would then, in all confidence, use the meat sold under the official stamp, and could be thus all the more exposed to the trichinous infection.

This service of inspection would be of no utility, and could even be hurtful; therefore it is not to be recommended. As to the rest, the medical commissions which occupy themselves with all that interests the public health could be invited to bring their attention upon the possible growth of trichina.

We shall not insist any longer on the useless measures which we have just examined.

III. As to the instruction to be spread among the people to enlighten and warn them as to the precautions to be taken against the danger of trichinous infection we attach great importance. The investigation which has been pursued since the first discovery of trichina affecting persons has shown that this parasite disease is unknown in countries like Belgium, where pork meat is submitted to complete cooking.

On the other part, numerous experiments have proved that trichinæ do not even resist the temperature of 56° Cent., and that they are infallibly killed in the meat of which the cooking has attained from 75° to 100° Cent. It is, then, important to make it known that the pork meat well cooked, although trichina may be present in it, is completely harmless, and, consequently, "*those only have the disease who wish to have it,*" and that to prevent it it is sufficient to follow the cooking customs of the country, or, if they have been put aside, to return to them and be more and more scrupulous in their observance.

We are, then, brought to the following conclusions:

1st. That the prohibition of foreign pork meat is not to be advised, this measure being of a nature not only to damage commerce without producing any kind of advantage, but also to work an injury, by inspiring the people with a too absolute confidence in favor of the pork meat native to the country, and would make them deprive themselves of a desirable article of food by reason of the high prices which would result from the prohibition of the importation of foreign meats.

2d. That the organization of a service of inspection of these meats, let it be at the landing ports or in their own country, at the pork-packer's, notwithstanding the insuperable difficulties which would arise, would be of a nature to place the consumers in a false security, and to expose them thereby to a danger from which they ought to be guaranteed.

3d. To attain this, and it is sufficient to make it generally known by all possible means that pork meat eaten raw or not completely cooked may cause a disease serious and even fatal, and that it is important to observe carefully and attend to this simple precaution.

a. The duration of the boiling of pork meat, previously cut, ought to be prolonged for a calculated time, say of one hour per kilogram, considering also that the addition of a small quantity of vinegar to the cooking water renders it more promptly efficient.

b. The action of the fire upon the meat roasted or grilled should be continued until from the thickest part of the piece there does not flow any pink juice.

c. There shall not be used raw meat in any culinary preparations where it does not undergo the above-mentioned degree of heat in cooking.

In strictly observing these precautions, they may be sure to continue to enjoy perfect freedom from any danger from trichina.

The members of the commission.

CROCQ.
VERGOTE.
JOURET.
VLEMINCKX.

THIERNESSE, *Reporter.*

No. 80.

Mr. Wilson to Mr. Hitt.

[Extract.]

No. 42.] CONSULATE OF THE UNITED STATES,
Brussels, May 23, 1881. (Received June 4.)

SIR: I have the honor to inform you that in a local paper of this morning I find a report that a veterinary officer at Charleroi, in this kingdom, claims to have discovered trichinæ in pork recently arrived from America in that place. As this report is calculated to spread alarm among the pork consumers of this country, who are generally of the poorer and more superstitious class, I shall proceed at once to Charleroi and personally investigate the matter. From my knowledge of these officers and of their general lack of scientific training and ca-

pacity I entertain the hope that I may find their trichinæ diagnosis unfounded; but whatever the result may be, on my return I shall hasten to communicate it to the Department.

* * * * * * *

Very respectfully, &c.,

JOHN WILSON.

No 81.

Mr. Blaine to Mr. Putnam.

No. 45.] DEPARTMENT OF STATE,
Washington, May 26, 1881.

SIR: I have to acknowledge the receipt of your No. 67, "relating to the circular of the minister of the interior concerning the harmless character of American pork," and to say in reply that the President is much gratified by the exhibition of this candid spirit on the part of His Majesty's minister.

You will please avail yourself of an early occasion to make known to His Majesty's government the satisfactiou which has attended the receipt of the intelligence conveyed in your very welcome dispatch of the 30th ultimo (No. 67).

I am, &c.,

JAMES G. BLAINE.

No. 82.

Mr. Wilson to Mr. Hitt.

No. 143.] CONSULATE OF THE UNITED STATES,
Brussels, June 14, 1881. (Received June 30.)

SIR: In my dispatch No. 142, and dated the 23d May last, I informed the Department of a reported discovery of trichinæ in American pork at Charleroi, and of my intention to personally investigate the matter.

Having made this investigation, I have now the honor to report its results:

On arriving at Charleroi, I went at once to the "abattoir," where all the fresh and salted meats used in the town are reputed to pass an examination, and on making my mission known to the director of this establishment, he very politely informed me that he had found trichinæ in American pork recently arrived there, and invited me to his examining room to witness for myself, through his microscope, the presence of the parasite.

On examining the meat submitted to me I found, sure enough, large numbers of encysted trichinæ in it, but when I asked him if he could positively certify that it had indeed come from America he frankly confessed he could not positively assert that it had, as the records of his office grouped together in one column all foreign salted meats; but that he thought he could identify the meat by the mark upon the cases in which it arrived. I replied to him that whilst this would not still be positive evidence, I would be glad to have it, as well as the quantity of meat thus affected, for I was about to make a report of this case, and unless I received from him this information, well authenticated, I should

report his uncertainty of the origin of the pork. This, he said, he could not just then do, but promised that it should be furnished with the least possible delay. I have now waited for the report sixteen days, but have not yet received it, and am therefore led to believe that, whilst it is not improbable that the pork came from America, the gentleman has been unable to verify that fact, and that, consequently, an injustice has been done our exporters by the publication of his article without the most positive evidence of the origin of the meat.

I brought with me back to Brussels a portion of a salted shoulder, which I was assured contained trichinæ, but, on examining it with a powerful microscope which I possess, was unable to discover trichinæ in it.

On my return to Brussels the next morning I found another report of trichinæ in American pork in this city, and immediately went to inquire into the particulars of this case. I was again conducted into the room for the microscopic examination, but although the gentleman in charge kindly offered me every facility for examination, neither he nor I could discover this parasite in the specimen examined. Failing to discover trichinæ in this case, I again made the request that all the information possible relating to the origin of the reported trichinosed pork and the quantity affected should be furnished me with the least possible delay. This was again kindly promised, but up to the present no such informatinn has been received.

Is is but justice to both these gentlemen to state that they seemed kindly disposed to give the desired information, and my only explanation of their failure to furnish it is that they have no certain means of ascertaining exactly the origin of salted meat presented for their inspection; for, on a personal examination of the printed forms for the record of meat received for inspection at Charleroi, I found one column devoted to "*Viande salée indigène*," or salted meat of Belgian origin, and another for "*Viande salée exotic*," or salted meat of foreign origin, but nothing whatever to indicate the country whence the exotic products come.

From this, and the almost impossibility of tracing to its origin every piece of meat brought to them for inspection, I conclude that with the most sincere desire to be truthful in their reports these gentlemen have great difficulty in always determining the origin of salted meats presented for inspection; but I nevertheless think it an injustice to our exporters to publish in a public journal such reports as those to which I have referred without the most conclusive proof of every statement therein made.

As an evidence that such reports are not likely to induce the Belgian Government to depart from its wise and sensible policy with regard to the admission of not only our pork, but all our other food produce, I here quote the translation of a speech made in the chamber of representatives, on the 23d May last, by the minister of finance, in reply to the advocates of protection to Belgian agriculture. On that occasion the minister said as follows:

> If the importation of grain and salted meats from America have not bettered the condition of our agriculturists, they have at least created a situation against which the Government is powerless to act. If these importations damage the interests of a certain class, they benefit and indeed are indispensable to the masses of our people. Whether it be that our population has outgrown the agricultural resources of the country, or that the people are not contented to live in the frugal manner of former years, it is a fact that Belgium can not now produce enough of food to feed her own people.
>
> The number of live cattle imported from America into Belgium is insignificant, but

of wheat and salted meats there is a great quantity, and it is only by the aid of America that we can now properly nourish our industrial and agricultural classes. These classes now consume the wheat of the United States instead of rye, which in former years constituted the base of their diet; and the pork of Chicago enters to-day into habitations where twenty years ago the only nourishment of the people was this rye bread.

To stop these importations would be to devote the working classes to misery, if not to death; to obstruct their entry by means of customs duties would be to impose on the masses prices which would not only benefit the land owners and enable them to keep their rents at the present high rates, and that would necessarily tend to augment the price of labor, for if the price of food produce increases the wages of the laboring classes must increase also, and costly production would render it impossible for our manufacturers successfully to contend with foreign competitors, seeing that our exportation depends as much upon the cheapness of our products as their good quality. It is thus that some amongst us, in order to protect the agricultural interests of the country, and prevent the owners of agricultural lands from suffering that reduction of their rents which the common and universal law of supply and demand imposes, would have us, by stopping these importations, make a compact with famine, and deliver our industrial and laboring classes to misery, decline, and ruin!

But notwithstanding this very sensible speech of Monsieur Graux, the minister of finance, I would remark that the free admission of our pork into Belgium, and the removal of all official interdiction of its entry into other countries, will serve us but little if the people continue to be frightened from its use by the idea that death may be lurking, for all they know, in every case of hams or bacon that comes from our shores, and this fright, I fear, will continue to exist, to the great injury of this branch of our commerce, so long as trichinæ and trichanic diseases are so imperfectly understood, and the people of Europe are taught to believe that American pork only is dangerous.

Having given this subject a very considerable personal investigation, and feeling that I might contribute in some small degree, at least, to allay what I can not but regard as an almost groundless apprehension of danger from eating American or any other pork, I have ventured upon a brief historical sketch of trichinæ and trichinic disease, with a statement of the conclusions to which most honest and scientific investigators have arrived as to the danger involved in the use of what is now admitted to be the only available cheap animal food for the poor and laboring classes of Europe; and I herewith forward this paper as a separate inclosure for your consideration.

I am, etc., JNO. WILSON.

[Inclosure in No. 143.]

TRICHINÆ AND TRICHINOSIS.

Whether the interdiction of swine's flesh as an article of diet by the law given to Moses, or the prohibition of its use to the followers of Mohammed in the Koran, was founded upon any conceived dangerous quality of its flesh we will probably never know, nor are we ever likely to ascertain whether the worms that devoured Pharoah, King of Egypt, were trichinæ or not; but that this parasite has existed in animal tissues from time immemorial is, we are inclined to think, more than probable. It is, however, only within comparatively modern years that the peculiar character of this parasite and its relation to the sanitary sciences have been investigated and made known to the public by competent authority.

In a curious work, published at Halle as far back as 1537, and entitled "Ein Schriftlich Regiment oder der Gesundheit Vorwarung vor Krankheiten," we find the following passage: "Nicht rechtschoffen gesundt Schweinefleisch zehe feuchtung macht, davon dau leichtlich in Addern und Ghedermas vorstopfung erfolget," which indicates clearly that at that date maladies were attributed to the eating of unsound pork.

Whatever may have been the character of the unsoundness here referred to, we have no direct allusion to trichina as a parasite of animal tissue until 1822, when Liedman claimed to have discovered them in the flesh of the hog. Dr. Hilton, of Guy's Hospital, London, mentions the finding of them in the flesh of a human subject in 1830, and this is probably the first account we have of their discovery in the human organism.

In 1835, Owen published a minute description of this parasite, but between that date and 1859, although other observers had not unfrequently found it both in the human cadaver and the flesh of the rat, rabbit, hog, and other animals, no great importance was attached to the discovery. In 1860, however, a vague and undefined malady made its appearance almost simultaneously in several different parts of Germany, and the fact that almost invariably the persons attacked were in the habit of eating raw or uncooked pork, and that many of them fell ill shortly after eating it, aroused a suspicion that this illness was caused by the presence of trichinæ communicated by eating pork containing this parasite. During that and two or three succeeding years, quite a number of distinguished microscopists, among whom may be mentioned Zenker, of Leipsic; Henricus, of Bra; Friedrich, of Heidelburg; Sandler, of Magdeberg; and Virchow, of Berlin, commenced an investigation of the subject, and the result of their labors proved beyond a doubt that the muscular tissues of the hog were not only occasionally the habitat of this parasite, but that bacon so affected, eaten raw, or partially cooked, was not unfrequently the means of introducing it into the human subject, and that a disease sometimes resulting in death did then exist in different parts of Germany as a result of this cause.

The publicity given to this new malady by the reports of investigations made by so many distinguished men created an inevitable panic throughout Germany, and, as is always the case in panics resulting from a threatened yet incomprehensible danger, the number of reported cases of this disease rapidly grew into fabulous proportions, and the number of deaths resulting from it were doubtless greatly exaggerated. Plauen, Heidelberg, Magdeberg, Halle, Leipsic, Posen, Weimar, Zena, Hattstadt, Lubeck, Berlin, Hedersleben, and a host of other towns furnished their contingents of cases of the new disease, and accompanied them with alarming and often purely imaginary incidents connected with the eating of the flesh of the now dreaded pig that had so long previously nourished and sustained their people. This trichinomania in north Germany became so general that it is now extremely doubtful whether the deaths among the poorer classes resulting directly and indirectly from the privation of this their accustomed animal food did not greatly exceed the total number of deaths from the disease they so much dreaded. It can scarcely be doubted that under such a panic almost every obscure indisposition experienced by the credulous classes of Germany was attributed to the dreaded trichinæ, and that, consequently, the true cases of illness and death resulting from the ravages of this parasite were greatly overestimated.

But notwithstanding this wide-spread trichinomania of 1861–'62–'63, and the general awakening of both the medical profession and the people of Germany, and almost all other countries, to what they considered a new and dangerous malady lurking in an important article of diet for the people, it soon died out, and from that date until a very recent period not only have the Germans eaten their pork and sausages in peace and tranquillity, but the lovers of ham and bacon of other countries have also continued to enjoy these favorite dishes without a thought of being consumed by an invisible destroyer.

I shall not here attempt any account of this parasitic disease as it has fallen under the observation and been described by Drs. Dalton, Schetter, Vost, Kromboin, Dingler, Lothrop, and other medical gentlemen of the United States. The facts relating to it, as revealed through the microscope, differ but little among all observers; but the deductions from these facts, so far as they attempt to establish the true character of the parasite, as well as the direct cause, nature, and duration of the disease produced by it, are by no means uniform, and are yet, I fear, more or less erroneous and fruitful of much needless alarm.

According to my own observations, the fully developed trichina, when taken from the muscles, stomach, or intestinal canal of a living animal, is a white or partially rose-colored worm, about $\frac{1}{30}$ of an inch long by $\frac{1}{600}$ thick, which, though it is occasionally found in a free state in muscular tissues, has received the denomination of *trichina spiralis*, from the fact that it is most frequently observed in muscular tissues, coiled in a special manner within a lemon-shaped cyst or sack containing granular matter upon which it is supposed to feed during the remainder of its quiescent life, for all observers admit that after it has once become thus encysted, its migratory motion forever ceases, unless, with the muscular tissue in which it rests, it is in some manner conveyed to the stomach of another animal and there set free from its prison cell by the action of the gastric juice, to commence again the function of reproduction. After it has once quitted the stomach and intestinal canal it ceases to propagate, but while within these viscerae it is certainly endowed with wonderful fecundity, the product of a single female being variously calculated at from 400 to 1,000. The accepted opinion now is that within a few days after the birth of the young trichinæ they penetrate the walls of the stomach and intestinal canal and commence their voyage through the muscular system; but if so, this must be performed quite rapidly, for they have been found in the muscles of the extremities within a few days after being taken into the stomach by eating affected flesh.

The duration of the cell or cyst life of this parasite has not yet, I believe, been satis-

factorily ascertained, yet upon this depends much of its pernicious influence on the human subject. So far as my personal observations have served me, I have never been able to detect the slightest movement or other sign of life in the little animal while thus imprisoned in salted meat, nor do I believe it does long survive in well-salted pork. Notwithstanding the fact that Virchow, the distinguished histological microscopist, records the discovery of living encysted trichinæ in a patient who had suffered from trichinosis for twenty-four years, I can not but think that this great authority either made a mistake in his premise or conclusion in this case, and that this stage of trichinic life is comparatively short, and accounts in a great degree for the small number of real cases of trichinosis, even among the north Germans, who so frequently indulge in raw or partially cooked pork.

Both encysted and free trichinæ have been found in almost every part of the muscular system, but in their encysted state they are much more frequently discovered in the denser portions of the voluntary muscles near their tendinous, attachments, and in the muscles of the eye, diaphragm, larynx, and other similar structures, which would seem to indicate that the voyaging life of the animal, when it has once reached the muscular system, continues until it encounters in the tissue subject to brusque motion a barrier against its further progress, and that there it gathers around it its winding sheet and prepares to die. Whether this be a correct theory or not, the fact that the capsular envelope of this parasite, after a certain time, begins to show signs of a calcareous degeneration, often observable to the naked eye, does seem to indicate that this is indeed the mausoleum of the animal.

From this brief summary of the history and habits of this parasite, I pass to the consideration of the danger to health and life involved in eating the different forms of fresh and salted pork, which now constitute so large an article of commerce both in Europe and America; and on this subject I would remark that trichinosis is a malady as yet but vaguely defined by the best authorities, some of whom refer its pathognomic symptoms to the abdominal viscera, while others diagnosticate it by a series of symptoms affecting the general system extending through months and even years.

The former of this class of observers mention their cases of death as having resulted within a few days, or, at most, weeks, after the introduction of the parasite into the abdominal viscera, and as being attended by acute and violent functional disturbance of these organs; while the latter attribute the death to the slow but general prostration of the vital force through muscular absorption and degeneration induced by its presence in this portion of the organic tissue. In justice to both these classes of observers it should be remarked that they regard both the immediate and remote condition here mentioned as characteristic of this disease, but it is unfortunate that a series of acute and violent local symptoms, often producing death within a few days, should have to be associated with a general chronic indisposition vaguely defined and extending through months, if not years, in order to determine what is claimed to be a new disease found lurking in not only a popular but an almost indispensable article of diet for the poor. And it is equally to be regretted that both the acute and chronic symptoms, usually considered as distinguishing this disease, differ so little from such as are produced by a vast number of other causes, and that consequently, without the greatest possible care, the gravest mistakes may be made in attributing either suffering or death to the presence of this parasite. Even the microscope in the most skillful hands can only supply presumptive evidence of this, for it is an admitted fact, by almost all observers, that trichinæ are often found in great numbers in the flesh of hogs that have given no evidence of disease whatever; and it is equally well known that they have been found connected with cancerous tumors, tuberculous matter, and in other both morbid and healthy tissues of the human subject, where no previous symptoms had excited a suspicion of their presence Although abundant testimony to this fact might be cited, I will here only mention that out of 136 persons who had died from other diseases, Professor Zenker, on examining their bodies, found trichinæ in 34. Indeed, as already stated, until about 1860, although trichinæ had often been previously found in the human subject, their presence was not regarded as incompatible with perfect health.

We have already shown how widespread throughout northern Germany the dread of this parasite became about this time, and also how rapidly it again died out, notwithstanding the resumption of pork-eating by the people. But we are now again, after the lapse of twenty years, confronted with a revival of this terror, accompanied by the official exclusion of the hams and bacon of the United States from many of the markets of Europe under the ostensible plea that there is danger of communicating trichinic disease to the people by eating these articles of our merchandise. That this hasty and, as I think, unjustifiable interdiction of American pork by so many of the governments of Europe has been instigated by other motives than a regard for the public health there can be but little doubt, and it is equally true that it has created among the poor and laboring classes of Europe a widespread distrust of this article of our export that has already seriously affected its sale. The unjustifiable character of this interdiction may be seen in the fact that while American hams and bacon have

been excluded from entry into France, Austria, Italy, and Spain, all kinds of salted pork from Germany and Hungary—the admitted home and habitat of trichinæ—have been freely admitted by them without question, and, so far as France is especially concerned, it may be further seen in the fact that the recent commission appointed by the Government to inquire into the soundness of American hams has reported that out of 2,000,000 kilograms examined trichinæ were only found in 300, an exemption from this parasite that could scarcely be equaled in the same weight of hams taken at random from any country of the world.

But the evil done to our commerce is by no means the most important evil resulting from these prospective decrees. It is a well-known fact that never before in the history of Europe have the laboring classes so required cheap animal food as at present; for in order to manufacture cheaply, the owners and proprietors of all large industrial establishments of the continent are compelled to wring from their employés the greatest possible amount of labor for the least possible pay, and it is generally admitted that the cheap pork of the United States is now really the only available animal food within the means of the laboring classes to sustain them under the strong demand made upon their vital force. But this great, and to them vital subject, is now, in many instances, committed by their Government into the hands of a special set of officers, who, provided with microscopes, the use of which is comparatively new to many of them, are expected to make a critical and scientific examination of American pork, and if, as in the case of the French commission, they find trichinæ in 300 kilograms out of 2,000,000, they may pronounce death in the pot, and forthwith, upon the truthfulness of this report, American pork is at once interdicted, or invested with such horror as compels the laboring man to purchase, at prices he can not well afford, the home pork products or that of other countries, or, what is still more probable, desist from the use of this diet altogether, under the terror inspired by these official reports, and the uncertainty of knowing whether, after all, he may not be offered the death-producing American pork under another name.

To allay unnecessary apprehension of this dreaded disease, thus engendered by official authority and entertained by ignorant or unscientific persons, I now propose finally to give what may be regarded as the concurrent conclusions to which most scientific investigators of this whole subject have arrived, and they may be thus summarily stated:

1st. That among the swine of all countries there is probably not more than one in 2,000 affected with trichinæ, and that the parasite is usually introduced into the flesh of this animal by his eating dead rats, mice, and other offal and garbage.

2d. That it is in most cases impossible to diagnosticate the presence of this parasite in the living hog, as they have been found in great numbers in the flesh of animals which before being slaughtered were not only fat and in good condition, but manifested no signs of disease whatever.

3d. That in every case thorough cooking, or, in other words, a subjection of the meat to be eaten to a heat equal to 70° centigrade, will secure entire immunity from danger in whatever numbers trichinæ may be present.

4th. That it is possible for this parasite to exist in the muscular tissues of both man and many of the lower animals without creating any appreciable disease.

5th. That notwithstanding the general and unrestrained use of swine's flesh among most civilized nations, genuine trichinic disease in man, as tested by the microscope and intelligently distinguished from other obscure maladies, is of very rare occurrence, and that the deaths resulting from it are probably less than the mortality resulting from the injudicious eating of some of the most wholesome articles of food.

As a just inference from these opinions of scientific investigators, I would remark that as trichinæ are now generally admitted by them to be introduced into the flesh of the hog by his eating dead rats, mice, and other garbage, and as the hogs fattened for the shambles in the United States are almost invariably fed in great numbers together upon good sound corn or the rich residuum of this grain after distillation, in large, clean, and well-kept buildings, where this food is constantly in great abundance before them, they have neither the temptation nor the opportunity to feed upon the dangerous garbage which the hogs of Germany, France, or any other continental country are allowed to eat, and that, consequently, they are in proportion to their numbers infinitely less affected with trichinæ than the hogs of any other country.

In concluding this paper I would add but one other remark, and that is, that I do not believe that the pork of any country is now more affected with this parasite than in the days of Moses, and that consequently the present panic among the people will pass away as did that of 1860. Nor do I believe that any European state will venture long to exclude from the working classes this indispensable article of their food, which the United States alone is now able to cheaply furnish them.

JOHN WILSON, *Consul.*

UNITED STATES CONSULATE,
Brussels, June 14, 1881.

GERMANY.

No. 83.

Mr. White to Mr. Evarts.

No. 136.] LEGATION OF THE UNITED STATES,
Berlin, June 29, 1880. (Received July 19.)

SIR: The "Reichs-Gesetzblatt" of yesterday, of which I inclose a copy and translation, publishes an imperial decree, countersigned by the chancellor, prohibiting the importation of certain products from America.

I have just called upon the head of the imperial chancelry—Minister of State von Hoffman—regarding the matter. He informs me that the prohibition is based entirely upon sanitary considerations; that, while it has not been found difficult to detect trichinæ in ham and bacon, it has been found exceedingly difficult, almost impossible, in sausages and preparations of chopped pork. I was very glad to receive this assurance, for my first fear was that this was but a new development of the chancellor's policy of protection to agricultural interests.

I have sent you a telegram as follows:

Importation of all preparations of pork from America, except hams and bacon, prohibited by imperial decree. Government assures me that it is simply a sanitary measure. Dispatch follows.

I have, etc.

AND. D. WHITE

[Inclosure in No. 136.—Translation.]

No. 1388. *Decree regarding the prohibition of the importation of pork and sausages from America, of June* 25, 1880.

We, William, by the grace of God Emperor of Germany and King of Prussia, etc., decree in the name of the Empire—the consent of the Federal Council having been obtained—as follows:

§ 1.

The importation of chopped or in a similar manner divided or otherwise prepared pork and of sausages of all kinds from America is prohibited until further notice. This prohibition does not include the importation of hams and bacon.

§ 2

The imperial chancellor is authorized to make exceptions to this prohibition, and to adopt the measures necessary for this purpose.

§ 3

This decree takes effect on the day of its publication.

Witnessed under our high signature and the affixed imperial seal.
Given, Bad Ems, the 25th day of June, 1880.

[L. S.] WILLIAM.
[L. S.] PRINCE v. BISMARCK.

No. 84.

Mr. Schoenle to Mr. Hay.

[Extract.]

No. 33.] UNITED STATES COMMERCIAL AGENCY,
Geestemunde, September 30, 1880. (Received October 21.)

SIR: * * * Inclosed you will please find a special report on the importation of live hogs into Germany from the United States.

I am, etc.,

WOLFGANG SCHOENLE,
United States Commercial Agent.

[Inclosure in No. 33.]

IMPORTATION OF LIVE HOGS FROM THE UNITED STATES INTO GERMANY.

GEESTEMUNDE-BREMERHAVEN,
September 30, 1880.

I have the honor to acknowledge the receipt of the Department circular, dated July 1, 1880, and, complying with its instructions, I beg to submit a report, in a condensed form, on the importation of live hogs into Germany from the United States.

In the early spring season of this year the arrival of a smaller lot of American live hogs on board of one of the steam-boats of the North German Lloyd created a good deal of sensation at this port, the appearance of these grunters from the other side of the ocean being quite a novel feature. They were, in the average, in an excellent condition, and were immediately transported by rail to traders at Hanover, where they were offered for sale to butchers at Hanover, Brunswick, Magdeburg, Cassel, and other places in Northern Germany, and found at once willing buyers. At short intervals other shipments of American live hogs made their appearance at this port, and were taken charge of by the same parties from Hanover. The butchers in the above-named cities were eager to avail themselves of purchasing these well-fed and comparatively cheap American hogs. The parties that started the experiment of importing American live hogs into Germany calculated on a loss of 5 per cent. on the voyage. Of the last shipment of 900 hogs forty died during the voyage, being less than 5 per cent., while of the former shipments the loss was considerably smaller, so that the average loss of all the shipments amounted to but 2½ per cent., which is considered trifling, and fell far below the calculation of the interested parties. The enterprise having proved to be successful and profitable beyond expectation, there will be further shipments made to this port, and on a much larger scale. There is already a movement going on amongst the principal pork merchants of Bremerhaven and the neighboring towns to found a stock company for the purpose of enlarging the importations of American live hogs. In a few months this company will have some extensive stalls built at Bremerhaven for the temporary stabling of the hogs after their arrival. It is the intention of the company to establish the main depot and principal market for American hogs at Bremerhaven, where they shall be weighed and then shipped to the different butchers into the interior of the country. It is believed that butchers at Berlin will make great purchases of American hogs, as several of them have already addressed frequent letters to hog traders at this place in which they expressed great anxiety to be supplied with that article at the earliest opportunity.

A large amount of capital will undoubtedly be invested in the importation of American hogs into Germany by German pork merchants, and from a venture it may grow in a few years to be a very prominent and profitable feature of our American export trade, and may, in course of time, develop into almost unlimited expansion. One thing, however, should not be overlooked by American dealers, that they should export corn-fed hogs only, as the slop-fed ones are more apt to die during the voyage, and as their yield is necessarily smaller than those of the corn-fed ones. American hog dealers ought to send the best quality of hogs to Germany, in order to gain a sure foothold and to encourage their importation. This importation of American live hogs into Germany will have the tendency to offset to some extent the imperial decree of last June, whereby the importation of American chopped pork and sausages into Germany is prohibited, so that if the Germans are not allowed to utilize the small

pieces of the American hogs, then the "whole hog" is to be shipped to them. The American hog having more fat substance and less meat than the German, the suggestion of experienced pork merchants in Germany has been thrown out that it would be a profitable experiment to import a lot of German male hogs into the United States for breeding purposes, in order to produce a mixed breed, which would have a little more meat and less fat—a stock of hogs most desirable in Germany and more salable in German markets. This experiment has been made in Hungary in the last few years, and resulted in a stock of hogs which are now preferred to the long-headed and coarse-boned German hog. The Hungarian mixed breeds always command a somewhat higher price than the common German hog. The suggestion appears to be very sensible and plausible, and, at any rate, would be worth trying. The import duty on live hogs is sixty cents per head.

WOLFGANG SCHOENLE,
United States Commercial Agent.

No. 85.

Mr. Smith to Mr. Hay.

No. 122.] UNITED STATES CONSULATE,
Mannheim, January 20, 1881. (Received February 12.)

SIR: In my report of May 3, 1879, I stated that very strong prejudice existed among the people, and especially among the meat-sellers, against American meat. I am now pleased to say that I find in this district and throughout Germany this difficulty in the selling of American meat is disappearing, and were it not for the present high prices of meat in the United States the sales would largely increase.

The importation of American meat to England has increased rapidly, from 1,000,000 pounds in 1875 to 2,000,000 pounds in the first quarter of 1880. Its effect is now being felt on the Continent, and soon a large continental demand will exist, more especially for the cheaper portions, such as are needed by the poorer classes—a class that are absolutely in need of more generous food than that which is now provided for them. The organ of the butchers, the Deutsche Fleischer Zeitung, published in Berlin, has numerous articles on this subject, and accepts it as inevitable, and welcomes cheap meat to Germany. It urges the Government to construct refrigerator railway wagons in order that fresh meat may be sent from the sea-board inland, not only for the needs of the poor people, but for the use of the army, remarking that while the taste of American meat is not so good as that of German meat, yet it contains all the elements of good sound food, and that in a short time the German taste will accommodate itself to it. The paper calls attention to the large and increasing consumption in Germany of American lard, stating that the supply is hardly equal to the demand, as an evidence of the breaking down of prejudiced taste, American lard having what the Germans call a "wild taste," quite different from that of German lard.

It is thought that meat and lard contract a smell and taste from the unclean condition of the ships in which they are exported; that a ship which has been used for the transportation of grain must have an odor which the meat will absorb, and that when ships are constructed for and only used for this transportation, then the meat and lard will be sweeter and better preserved. Shipments have sometimes been made by parties unacquainted with the trade and its difficulties. The sudden rise of the demand and the rapid extension of the market have led to careless shipments, both regarding careful preparation of the meat and an intelligent knowledge of the market.

Regarding the prices of meat, a good criterion for the exporter is the price of meat in 1879, for although the duty on all meats was increased in 1880 from 3 to 12 pfennigs a kilogram, making the present duty 12 marks a 100 gross kilograms, with a deduction for tare of 16 per cent., yet there would be a paying profit.

The increased price of meat in the United States in 1880, it being 40 per cent. higher than 1879, reduced the profit to a minimum price and in some places prevented sales.

Large stocks of old pork and hams are reported in Liverpool, supposed to be the result of over speculation and high prices. The firm of Bender & Co., Mannheim, imported in 1879 90,000 kilograms of meat for the poorer classes, in 1880 30,000 kilograms, the falling off being the result of the increased price in the United States.

Shoulders, sides, and bellies used by the poorer classes sold in 1879 at 32 pfennigs per kilogram; in 1880, at 48 pfennigs per kilogram; sugar-cured hams, used by the better classes as a delicacy, sold in 1879 at 62 pfennigs per kilogram; in 1880, at 75 pfennigs per kilogram.

The exporter of hams to Germany should observe especially the entire absence, as far as possible, of trichinæ. While my experience teaches that German and English meat contains as much if not more trichinæ than American, yet the importation and criticism of the American is much more close and severe. Each ham or piece of meat is inspected by the government inspector, and if a trace of trichinæ is found the meat is condemned and destroyed.

On the 18th of October, 91 hogs exported from America to Dresden were examined under the misroscope; 14 contained trichinæ and were condemned. This will be quoted in many German papers and thus continue prejudice.

I would again make the recommendation contained in my report of May 3, 1879, in which I wrote at length concerning trichinæ that boards of trade and the Government make stringent laws of inspection of each hog with reference to trichinæ before permitting sales; only in this way can producers of pork in the United States command the markets of the world. In every country laws are being introduced regarding the purity of food from poisonous substances, and nothing is to be more dreaded or is more disastrous in its final effects than trichinæ.

The exporters should also study the adaptations of the meats sent to any particular market. Among the Germans it is very difficult to overcome their fixed tastes and habits, and the importer will do better by adapting his importations to the market, rather than endeavoring to create a reformation.

In South Germany very little fat meat is used and will not sell well, while in North Germany the meat can not be too fat. Regard should be paid to the manner in which the meat and hams are cut. In this district hams too salt will not sell. It would be better to send pork that had been salted only three or four weeks—that is, transporting it with as little salt as possible, and not smoked—leaving the smoking to be done here.

Hams exported are apt, through the length of the voyage and the sea air, to arrive moldy and dirty, looking comparatively colorless when placed with domestic German hams, which are made to present a lively brown color, which, in addition to their perfect cutting, gives them a very attractive appearance. If smoked hams are sent, each one should be put in a well-covered, painted canvas sack, so as to keep out all vermin. Hams of any kind, especially mild-cured hams, should not be imported in warm weather; they are apt to mold and sweat under the cloth, and

unless they are in perfect condition must be re-dressed and re-covered after their arrival; also, unless they are perfectly cured they are apt to breed maggots inside the flesh near the bone, rendering them unsalable. In this district sugar-cured hams are not relished by the better or the lower classes, except when they are eaten uncooked.

The preference of South Germans is for mild, salt-cured hams; consequently the sale of sugar-cured hams is limited. Cheap salted shoulders and sides can be sold to the laboring classes. They sold in 1879 for 32 pfennigs per kilogram; in 1880, from 45 to 48 pfennigs. Heads and feet contain too much bone to make a profitable export, the duty on all meats being paid by gross weight. A case containing 260 kilograms pays 12 marks per 100 kilograms, less 16 per cent., tare.

American bacon is well relished and will be much used in Germany. Sausages were exported from the United States with profit, but by an extra law regarding trichinæ they are now literally prohibited.

American fresh beef is not brought to Mannheim, and, I am informed, not yet to Rotterdam. Live sheep and lambs are exported from Germany to England.

In my report regarding American exportation, dated June 5, 1878, I stated "that either an established depot, from which experienced salesmen, who knew the habits of the German people, could be sent out to establish trade, or salesmen sent by the manufacturer or the producer, are needed to make a successful trade in Germany." I am now inclined to think that for this district and South Germany, depots established in Frankfort on-the-Main, with commercial travelers selected from the Germans, will give greater success than any other method.

Large and heavy articles can be stored at the sea-ports and drawn from as sales require. Samples and small goods could be in depot at Frankfort-on-the-Main. Coarse meat of all kinds can at present be better sold by the exporter at the sea-port where it arrives.

I remain, &c.,

EDWARD M. SMITH,
United States Consul.

No. 86.

Mr. Griggs to Mr. Hay.

No, 95.] UNITED STATES CONSULATE,
Chemnitz, January 24, 1881. (Received February 12.)

SIR: I have the honor to transmit herewith a report relative to the importation of American pork into Germany.

I am, &c.,

N. K. GRIGGS, *Consul.*

[Inclosure No. 95.]

Report relative to the importation of American pork into Germany.

"*Americanische schinken, trichina frei*" is the way that "sugar-cured" hams from our country are announced for sale in Saxony. As no such an advertisement is ever made in regard to hams of German production, the announcement alluded to seems an invidious distinction almost amounting to a declaration that those from our country are usually infected with the dreaded parasites. Indeed so general is the belief here that they are infected that the dealers find it very difficult to sell them at 20 cents or even less per pound—whereas German hams sell from 24 to 38 cents—and this, not-

withstanding each ham from our country is accompanied by a certificate that it has been examined and found to be free of trichina.

When it is considered that the American hams are, *at least*, as good as even the best of the celebrated "Westphalian," and that they are warranted "trichina frei," it seems very singular that the people of this country are so slow to buy them. The only explanation for this is that they have been led to believe that to eat American pork is to brave if not to court disease. They evidently do not know that American hogs are fattened upon the best corn the world produces, and American pork cured in the best manner now known, and that, therefore, our "sugar-cured" hams can not possibly be of inferior quality; nor do they seem to be aware of the fact that not only are our people the greatest producers but also the greatest consumers of pork in the world, and that, notwihtstanding this latter fact, there are fewer cases of trichina sickness in the United States than in Germany. Since June 25 last no pork has been allowed to be imported from our country into this, except entire pieces—such as whole hams, etc.—and these, as I have before stated, are never offered for sale except they have been examined and certified to be free of trichina.

To the United States, therefore, can not be charged the many cases of sickness occurring in Germany from the eating of infected pork. Indeed, during my more than four years' residence in this country I do not remember of having heard of a single case of such sickness attributed to American meat. On the other hand, in the past few weeks I have observed in the papers notices of no less than *fifty-six* persons in Germany being made ill by eating German-produced, trichina-infected pork. The almost entire exemption of our people from trichina-sickness is doubtless largely owing to the fact that in our country meat is seldom eaten raw, which is not the case here; still, when the great number of hogs slaughtered and large amount of pork eaten by our people is considered, it seems utterly improbable that a larger per cent of the hogs we kill are infected with the parasites than of those killed here.

Waiving any further discussion as to the relative merits of the pork cured in the two countries, I would beg to suggest—

First. That some organized effort should be made by those of our exporters most directly interested to impress upon the German public, through the medium of the German press, the fact that the pork sent from our country is not only much cheaper than that produced here, but is also as good and as free from disease; and

Second. That all American hams should be examined and known to be absolutely pure before they are exported to Germany. This seems to me quite important, for should even two or three cases of trichina sickness here be traced to meat from our country such fact would be at once telegraphed throughout Germany, and our pork trade with this country would then be ruined. Indeed it is quite probable that the German Government would prohibit any further importation of pork from our country whatever. There is another reason why American pork should be examined at home, and that is that to have it tested in Hamburg or Bremen—where it is now usually examined—increases its cost five pfennige (about 1¼ cents) per pound. This examination could surely be made in the United States at a much less expense, and then the hams from our country would not be saddled with this additional burden or disadvantage of nearly 7 per cent. in their competition with those of Germany.

In conclusion I would say that there can scarcely be any doubt but that the export trade of our country with this, in our "sugar-cured" hams, could be increased to many fold its present dimensions, without great difficulty, to the benefit of the consumers no less than that of the producers.

N. K. GRIGGS, *Consul.*

No. 87.

Mr. Wilson to Mr. Hay.

No. 12.] UNITED STATES CONSULATE,
Hamburg, February 11, 1881. (Received February 28.)

SIR: I have the honor to hand you herewith an extract (with translation) from the Fremdenblatt, a prominent newspaper of this city, of even date, wherein is contained a certain quotation from an American newspaper, with editorial comments of the Fremdenblatt upon the same, respecting the very important staple of American lard, which, as you are well aware, is a leading and constantly increasing article of exportation from our country to this market.

Since all adverse interests are sure to see not only that these reports are copied into the press of Germany generally, but grossly magnified, I deem it a matter of very great importance that the attention of the Department of State be called to the same at the earliest possible moment.

I am, etc.,

JAMES M. WILSON,
United States Consul.

[Inclosure in No. 12. Translation from The Hamburg Fremdenblatt, No. 35, of February 11, 1881.]

The following item, taken from an American newspaper, has created considerable sensation among the importers of American lard:

"A 'neat' business, writes the Herald, of Milwaukee, is the manufacturing of lard from hogs killed by the hog cholera. This business is, however, neither done at Chicago, nor Milwaukee, nor at any of the larger cities, which might thereby ruin their reputation in the provision market, for it shuns the light. But the farmers are not inclined to treat the hundreds of thousands of hogs which die every year of cholera as a clear loss, and therefore sell the carcasses willingly and cheap if they can only find buyers for the same."

Now, the Davenport Daily Gazette contains the following notice:

"A firm in one of our country towns has within the last three months bought and shipped about 200 cwts. lard, produced from the carcasses of expired 'crepirt' hogs, for which it paid about $1,500 (which is not the tenth part of the real market value of good lard), and we are informed that also another firm is doing a large business in the same article.

"It is therefore no immodest query, but a very urgent one, to ask what becomes of the carcasses of diseased hogs.

"This question is in reality a most important one for our entire commerce, for even the suspicion that lard obtained from diseased hogs is sold may prompt the European states to prohibit the importation of American lard and thus ruin one of our most important branches of business.

"The outrage perpetrated in the above-mentioned manner, by greedy, unprincipled speculators, is of so atrocious a nature that no punishment could be hard enough therefor."

The chambers of commerce of Chicago and Milwaukee ought to investigate this affair thoroughly and demand from the Davenport Daily Gazette the publication of the intimated firms or a statement of the source whence such information is obtained.

No. 88.

Mr. Smith to Mr. Hay.

No. 125.] UNITED STATES CONSULATE,
Manheim, February 14, 1881. (Received March 10.)

SIR: I have the honor to report the following translated extracts taken from German newspapers. In this connection I would again urge the necessity of some action by the Government, or boards of trade, whereby each hog shall undergo microscopic examination before it is allowed to be placed upon the market. I am convinced that unless this is done very soon all American pork, ham, and lard will be prohibited from the markets of Germany and probably other European states.

[Extract from the Weinheim Anzeiger.]

Dr. Gross, of Pest, counselor of the board of health, impressively warns the public against the use of American pork and lard, and desires government action prohibiting the import of the same. The dangers, he says, have lately essentially increased. In the board of health of the State of Michigan, Dr. H. W. Baker has furnished an ample report of a largely extended epidemic disease among swine, called "hog chol-

era," from which 26,000 hogs have died in the southwestern forests of this State. This disease is contagious to the highest degree, and also, in the opinion of Dr. Baker, transferable to men. All who have used the meat or lard of such diseased animals have fallen dangerously sick; one of them died soon after.

At Chicago, where millions of hams, smoked hams, and lard are packed, and from where whole cargoes are shipped to Europe, they do not inquire the origin of the dead animals, and without doubt the Yankees will not hesitate, on the occasion of such an extended swine disease, to cover their losses through the shipment of the dead hogs to Europe.

Serious measures were also taken in England against the import of pork products from the United States of America.

[Report from Chicago.]

I think I may assume it not to be well known to you that in the stinking factories at Station "Globe," by Chicago, immense quantities of lard from dead animals are produced, a great deal of which is shipped to England and Germany. They say that it is only used for greasing purposes; but who can control its use?

The lard looks white, like snow, and is scentless; thousands of the poorer classes may use it, not anticipating this kind of manufacture. Two daily railway trains of ten to twenty cars are loaded with all dead animals gathered in the city; horses, oxen, cows, hogs, and dogs. The extracted lard is again cleaned by steam. The residuum of the meat is in the neighboring manufactories prepared as guano, and mixed with feathers of chickens, bought of the hotels, so as to give it an appearance of genuine guano. The offensive smell spread over the country from these manufactories is a frightful one. The environs of Chicago are nothing but stinking places.

[Extract from the Berlin Tribune.]

A "clean" business is reported from the Herald at Milwaukee: The manufacture of lard from hogs dying from "hog cholera." This business is neither carried on at Chicago nor at Milwaukee, nor at any larger city doing business in hog products and risking their reputation. Yet the farmers are not inclined to regard as a full loss the hundred thousands of swine dying every year of cholera; they sell the carcasses willingly and cheaply to any buyer.

The Davenport Daily Gazette reports as follows:

"One firm residing in one of our country cities bought and shipped during the last three months about two hundred-weight of lard gained from the carcasses of dead swine. They paid for it about $1,500 (not a tenth of the market value of good quality). We are also informed that another firm has done considerable business in this article. Now, it is a question, not a modest but an urgent one, "What do they make of the carcasses of dead swine?"

This question is a very important one for our commerce; as only the suspicion that lard gained from dead swine is sold could induce the European governments to prohibit imports and ruin in such a manner one of our most important export businesses.

The mischief thus committed by unscrupulous jobbers is so most atrocious that no punishment would be too much for it. The chambers of commerce of Chicago and Milwaukee should carefully investigate the matter, and claim from the Davenport Daily Gazette the name of the foregoing mentioned firms or the source from which this notice was drawn.

[Extract from the Düsseldorf Gazette, January 20, 1881.]

A fatal accident that will no doubt induce our board of health to prohibit import, if not examined, of American meat has caused a great excitement in this city. A citizen bought of a grocer a ham, and by eating the same the whole family was confined to bed. On examination of the rest of this ham it was found full of trichinæ. Father and mother have already died of this frightful sickness, while the children sickened so dangerously that their recovery is doubtful.

DÜSSELDORF, *February* 3, 1881.

On Tuesday afternoon the third person, viz, the mother of the upholsterer Hermann Thelew, deceased, died of trichinosis.

These statements are evidently exaggerated, yet the fact that there is any basis for such reports should lead exporters to either remove the cause, or, if the statements are false, deny them. This can be done through the foreign newspapers by consuls if they are furnished with authentic statements from well-credited parties.

I remain, etc.,

EDWARD M. SMITH,
United States Consul.

No. 89.

Mr. Stanton to Mr. Hay.

No. 199.] UNITED STATES CONSULATE,
Barmen, February 25, 1881. (Received March 17.)

SIR: The inclosed article, which appeared in the London Times of the 19th instant, taken in connection with the constantly recurring articles of similar import in the German newspapers, induces me to address a few words to you on the subject of the American pork trade, notwithstanding that many of my colleagues have so repeatedly treated of the matter.

In Germany, and, I think, in all other European countries, native dealers in and producers of pork, bacon, hams, etc., are leagued against us, and leave no stone unturned to create in the public mind a distrust of American wares.

Every discovery of *trichina spiralis* in American bacon is trumpeted through the land, the facts being not unfrequently grossly exaggerated and distorted; while similar discoveries in German bacon are either unnoticed or so published as to be lost in a corner of some provincial journal.

This underhanded warfare against American products is not confined to the pork trade alone, but every comestible issuing from the United States is subject to continual attacks in the German journals.

At one time it is *trichina spiralis*, at another a case of lead poisoning, and again unscrupulous adulteration.

Whether these accusations be based on fact or fancy, it is evident that they are sure to exercise a prejudicial influence in the end, unless our manufacturers and exporters take decided measures for protecting their reputation and guaranteeing the character of their goods.

Reports, such as the accompanying inclosure, have a great effect on the public, and tend to do our export trade immense injury. They are greedily copied into all German newspapers, and the public will be warned against purchasing any edibles issuing from the United States. Such warnings are numberless, and can be found almost daily in some one of the German journals.

From their cheapness, American lard and bacon will always command a market among the poorer classes; but the mere possibility that the assertions of Mr. Crump* may be true will turn from American wares all those who can afford to purchase the higher-priced German wares.

Believing that American hams and bacon are just as carefully prepared as those of Germany, and considering the great importance of the pork trade, I deem it my duty to urge upon our pork-packers the necessity of guaranteeing the character of their goods.

I earnestly recommend my countrymen to ship no side of bacon which has not been inspected; to send abroad no lard or butter which is not free from every adulteration, and to instruct their agents to publish by every possible means the fact that American bacon is carefully inspected, that American lard and butter are unadulterated, and that no use is made of diseased swine or the products thereof.

In building up and in maintaining an export trade, particularly in a country like Germany, where so many are desirous of bringing such a

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*Acting British consul at Philadelphia.

trade into discredit, too much attention to the character of the goods exported can not be paid; and an honest and upright policy is one which is sure to pay in the long run.

I am, etc.,

EDGAR STANTON,
United States Consul.

[Inclosure in No. 199.—Extract from the London Times of February 19, 1881.]

HOG CHOLERA IN THE UNITED STATES.

The following is an extract from a letter from Mr. George Crump, acting British consul at Philadelphia, to Earl Granville, dated December 21, 1880, and published in some further correspondence just issued by the foreign office, as to the diseases of animals in the United States of America:

"From a sanitary point of view it may not be impertinent to call your lordship's attention to the immense mortality among swine by a disease known as "hog cholera," in which about 700,000 head have died this year in Illinois. Immense quantities of pork are annually shipped to the United Kingdom, and as the disease *trichina spiralis* seems to be on the increase in this country, the subject is not unworthy of attention. Two persons recently died in Milwaukee, and one in Chicago. In the latter city several people are ill with it at the present time, and one entire family attacked about a month ago are not yet out of danger. A case just reported from Kansas describes the symptoms of the disease when it attacks the human family. In this case the victim is a farmer. He had been ill for some time, and became much reduced in flesh. Upon consulting a physician trichnæ were found; worms were in his flesh by the million, being scraped and squeezed from the pores of the skin. They are felt creeping through his flesh, and are literally eating up his substance. The disease is thought to have been contracted by eating sausages. *Trichina spiralis* may be conveyed to human beings, it is thought, by the gross adulterations used in the manufacture of butter and cheese, of which there is some exportation to England. The former is adulterated with lard and grease, which in many cases are taken from the places where hogs die of diseases, and are then rendered into grease, glue, etc., and the latter by a commodity called 'anti-huff.'"

This is the letter referred to by Mr. Paget in the question put by him to the president of the board of trade in the House of Commons on Thursday.

No. 90.

Mr. Potter to Mr. Hay.

No. 27.] CONSULATE OF THE UNITED STATES,
Crefeld, February 26, 1881. (Received March 17.)

SIR: I have deemed it of importance to call the attention of the Department to the items which are daily appearing in the public journals in this part of Germany concerning American meats, and which are calculated to seriously diminish the exportation to the continent of Europe of American hams, bacon, and pork. Judging from the present state of public feeling here, it is perhaps safe to express the opinion that this important branch of the export trade of the United States will be wholly destroyed, unless prompt and efficient measures are adopted which will insure the purchasers of American meats of this discription against the presence therein of the dangerous *trichina spiralis*.

As an illustration of the different paragraphs at present circulating through the public press, I give the following, with translations:

A Cologne paper, under date of February 19, 1881, says:

Here, also, trichinosis has made its appearance, though only in one family, who had eaten of a raw ham obtained from Gütersloh, in Westphalia, Germany. The lady of the house was first affected with sudden and severe pains in the stomach, vomiting, and diarrhea, accompanied with pains in the region of the lower vertebræ and in the eye-holes; the eye-lids and the face began to swell very much, as in the case of erysipelas of the face; so that the physician, in considering all these symptoms, was not in any doubt about the nature of the disease. With one child swelling of the joints was observed, as may happen in a case of rheumatism. A microscopical examination of the ham eaten showed that it was full of trichinæ, and, as soon as discovered, was seized by the police. May this sad case serve as a warning not to eat raw pork which has not previously been examined by a sworn examiner of meat. Particularly suspicious are *American hams* and *bacon*, in which a large trade is done, and which in many cases, are sold as Westphalian or German hams and bacon. These facts would seem to make it necessary to put dealers of imported meat, hams, and bacon under severe control in towns where the examination of meat is obligatory.

A newspaper printed in the city of Düsseldorf, dated January 26, 1881, says:

Our town has been put into a state of great excitement by a sad event, which will cause our sanitary board to take energetic steps against the *importation of American pork*, which has not been previously examined. A citizen of this town obtained a ham from a dealer here, the eating of which brought the whole family to the sick bed.

The examination of a portion of this ham that was left proved it to be full of trichinæ. Father and mother have already succumbed to the dreadful disease, and the state of the children is such that grave doubts are entertained as to their recovery.

The latter case at Düsseldorf has had a greater influence in exciting prejudice against American meats than any other that has occurred. At my request, Consular Agent H. Lewis has thoroughly investigated the facts connected therewith, and communicates the following information:

On the 25th of December, 1880, an upholsterer, by the name of Hermann Thelen, purchased in Düsseldorf a ham from a grocer by the name of Joseph Brors. The flesh of this ham (which had been smoked, and was known as "sugar-cured") was eaten, uncooked, by the members of Thelen's family, and by others living in his house, and also by relatives who called upon him on Christmas day. In all eighteen persons partook of the meat, and were all soon after taken ill; some the day after eating the ham, and others from five to ten days later, but all with unmistakable symptoms of trichinosis. Of these eighteen persons five have already died, and seven are still very ill, with little hopes of their recovery, and six are considered out of danger.

Joseph Brors, the person from whom the ham was bought, stated that he dealt *only* in American hams, and that he purchased the lot from which this was taken of Messrs. Isenbart & Co., American provision merchants, in Antwerp, and with whom he has long dealt, and who are known as selling only first-class goods. The barrels in which the hams were packed were examined, and on one appeared the name of Jones & Stiles, Chicago. There were 19 hams in this barrel, weighing together 300 pounds, and of these he sold several; one he sent to his parents as a present, and some were cut up and retailed in his shop. Of these, himself and wife partook repeatedly without any ill effects, and with the exception of the one sold to Thelen, he has not heard of any complaints.

As soon as the case of the Thelens became known, all the hams then in his possession, nine in number, were seized by the police, besides a number of others in the hands of a dealer by the name of Mauser, which were bought at the same time from the same house in Antwer, and all were submitted to a strict examination, but without finding the slightest trace of trichina. So it was proved that only the ham sold to Thelen was in any way effected, and this, Thelen declares in his evidence before the police, was sold to him as a *Holstein* (German) ham.

From a portion of this last, which, fortunately, was found, Dr. Zimmermann, the city medical inspector, found trichina in great numbers.

A letter was addressed to Messrs. Isenbart & Co., at Antwerp, requesting them to state whether or not they sold to Joseph Brors, of Düsseldorf, on the 18th or 20th of December last, a lot of hams, weighing about 12 pounds each, and at the same time a lot to a Mr. Mauser, of the same city. To this request they replied as follows:

"In answer to your letter of the 19th we reply to you that we deal only in American meats, hams, and bacon. That on the 10th of December, 1880, we sent to Joseph Brors

and to Wilh. Mauser, of Düsseldorf, two barrels of pickled pork. The barrels contained, one of them 18 pieces of ham, and the other 19 pieces.

"We bought both barrels *indirect*, and they had the mark or brand of Jones & Stiles, packers, Chicago. Whether there were any hams of the weight of 12 pounds among these we can not say, as we sold them as we received them, and only the weight of the whole and the number of hams in each was known to us. The usual weight of American hams is about 15 pounds. We have no law here for the compulsory examination of hams or bacon, as is the case in Germany, for trichina, or this sad accident would, perhaps, not have occurred; but it is probable these numerous accounts, daily received, of deaths from this cause, will move the Government to take some steps in this direction.

"We remain, etc."

Mr. Lewis adds:

I called yesterday on Mr. Thelen, the poor man who lost his son and wife by this disaster, and learned from him that his son purchased the ham from Joseph Brors, with the direct *understanding* that it was *Holstein* (*German*) ham. If Brors had told him it was American he should not, he said, have bought it; he wished particularly on this occasion (he was giving a sort of Christmas feast to his friends) to have a German ham. I saw one of the children of the old Mr. Thelen who had been attacked, but who is now able to go out, but the three children of his son are still in the hospital in a dangerous state. He says there were eighteen persons who partook of this ham, all of whom were more or less affected.

In conclusion, he said he intended to bring an action against the man Brors for damages, the result of which I shall carefully watch.

It does not, therefore, seem to be proved that this particular ham nor that all of those received from Antwerp were, beyond all doubt, American. As they were bought *indirect* we can not yet know *positively* if the former owner had not opened the barrels and mixed them with other hams not American.

Brors still insists that he only dealt in American bacon, but the trial, when it takes place, will no doubt bring out the facts, and show whether it was a Holstein (German) or American ham.

It will be observed that it is not proved to a certainty that the ham which produced the said disaster was from the United States. The dealer who sold the ham in question is very soon to undergo trial before the courts. If the facts then developed shall show that the ham referred to was *not* from America, I shall lose no time in making the German public familiar with the fact.

It appears, from investigation, that pork raised in Germany is quite as liable to be infected with *trichina* and other diseases as the American article. A report which appears in the Cologne Gazette, of February 16, 1881, says:

> Last year 3,709 pigs were examined at Mülheim, on the Rhine. Among these, two were found containing trichina, and eight as being affected with "*Finnig.*" Among the sides of bacon (number not stated) imported from America thirty-seven contained trichina.

But at the present date the current of public prejudice is turned against pork imported from the United States, and the feeling is so strong at this moment that the public will not purchase in the markets meat of this description, unless it contains the mark of a public inspector as being healthy and safe.

As further illustrations of the feelings and demands of the public upon this subject, I append the following notice, which appears daily in the public journals of this city:

> The undersigned butchers hereby give notice that they have engaged the well-known and first-class veterinary surgeon, Dr. Henry Feger, to examine all their pigs for trichina, before their meat is offered for sale.
>
> CREFELD, *February* 22, 1881.

This notice is signed by 26 butchers and dealers.

If all pork, bacon, and hams leaving the United States for Europe should be carefully inspected by thoroughly qualified officials appointed

by the Government, and the barrels and canvas covering the hams should be stamped with the official seal and the personal signature of the inspector, I have reason to believe the public here would regard such marks as a sufficient guarantee of safety, and trade in this important article of American exports would soon assume and possibly enlarge its former proportions.

If a law authorizing the appointment of inspectors for such a purpose should be passed, it should contain enactments holding such inspectors to a strict accountability for any error they might make.

The strong prejudice now existing and being created in Europe against American meats would, in my judgment, speedily vanish, as soon as it should be announced that such a law had been passed and would be rigidly enforced.

A fee large enough to cover fair compensation for inspection, and to be paid by the packer or shipper, might be provided for, so that no expense for such service would fall upon the Government, while at the same time it would make it for the interest of the shipper to be vigilant and careful as to the quality and healthfulness of the meat which he would select for exportation.

I am, etc.,

J. S. POTTER,
United States Consul.

No. 91.

Mr. Grinnell to the Assistant Secretary of State.

[Extract.]

No. 55.] UNITED STATES CONSULATE,
Bremen, March 24, 1881. (Received April 14.)

SIR: The false reports set on foot by the English vice-consul at Philadelphia concerning the condition of our hogs, which has had, temporarily, such a bad effect in England and France, has been received with apathy, not to say contempt, here. The Bremen merchants are too shrewd and too intelligent to throw away their merchandise because of a false report spread abroad by speculators of a disease among hogs, which, even if it had proved true, would not have injured shipments, the disease—hog cholera—being quite distinct from trichina.

During the panic in England and France, Bremen merchants have been steadily importing our bacon, so that to-day the quantity already received during the five first months of the bacon year, November to November, is equal to the receipts of the whole year previous.

There are few complaints as to the quality or packing of our bacon; indeed, the quality is declared excellent; the boxes only are too frail to sustain the great weight—about 500 pounds—but in this I notice an improvement, notably in the packing of Henry Ames & Co., of St. Louis, and one or two Milwaukee packers, who cleat their boxes.

The article is examined only when the retail pork butcher exposes it for sale. The German Government appoint and maintain an army of argus-eyed examiners who are faithful and active Two per cent. of American bacon is said to contain trichina.

* * * * * * *

I am, etc.,

WILLIAM F. GRINNELL,
United States Consul.

No. 92.

Mr. Lee to Mr. Hay.

No. 271.] UNITED STATES CONSULATE GENERAL,
Frankfort-on-the-Main, March 31, 1881. (Received April 15.)

SIR: The outcry which has lately been raised all over the European continent with respect to American pork, on the ground of its alleged infection with trichina, makes it seem to me proper to devote a little attention to the quality, in respect to trichina, of the pork produced in this part of the world.

The methods of feeding and growing swine here and in the United States are essentially different, and this difference is, in my opinion, of a nature to produce a fair presumption in favor of the superior quality of American pork. In this part of Germany, and in most sections of this Empire, the practice prevails of keeping swine, as well as cattle and all other live-stock, constantly confined in pens and stables. The animals are rarely permitted to ramble in the fields and forests, and never in the streets. Swine are, therefore, fed mostly on slops and offal, not unfrequently containing elements not encouraging to the idea of healthy nutrition. Grass, mast, and Indian corn constitute a very inconsiderable portion of the materials upon which hogs are raised and fattened.

The continual confinement to which the animals are subjected seems also contrary to the conditions of healthy growth. Exercise, open air, and natural food are alike, by such confinement, denied them.

American swine, on the other hand, are grown mostly out of doors, where they obtain healthy food, and are less likely to consume the vermin which are popularly supposed to be one source of trichina infection. They are generally fattened on Indian corn, rather than on slops and offals.

I know of no statistics from which an accurate conclusion can be derived as to whether European or American swine are the healthier; but in the absence of such statistics the facts above stated seem to raise a strong presumption in favor of the latter. This presumption is fortified by some facts that have come to my knowledge. The instances in which trichinæ are found in German pork are quite sufficient to justify alarm as to the consumption of that article, especially in a raw state. For example, the following notices of such discoveries have appeared in the newspapers of this city during and since the year 1879:

[From the Frankfurter Intelligenz Blatt of April 27, 1879.]

In the shop of a master butcher of this city a 113-pound hog was yesterday found to be infected with trichina, and was therefore seized.

[From the same paper of September 16, 1879.]

Among the butchered hogs examined yesterday in Sachsenhausen one was found to contain trichina. The butcher was forbidden to sell the hog for other than technical purposes.

[From the Frankfurter Zeitung of September 21, 1879.]

A hog examined this morning by Mr. Magnus, of Bockenheim, was found to contain trichina. It was given over to the wasenmeister. It belonged to a butcher in the Saalgasse.

[From the Frankfurter Stadt Anzeiger of April 24, 1880.]

A 250-pound sow, from Freungesheim, was yesterday found by Mr. Inspector J. May, in Bockenheim, to be impregnated with trichina through and through.

[From the Frankfurter Zeitung of June 23, 1880.]

A hog strongly impregnated with trichina was found by the veterinary surgeon, Herr Wagner, in the shop of Butcher Smith, in Sachsenhausen yesterday, and was given over to the wasenmeister.

[From the Frankfurter Zeitung of March 22, 1881.]

The report has reached us that a hog strongly impregnated with trichina has been found in the shop of one of our city butchers.

[From the Frankfurter Stadt Anzeiger of March 24, 1881.]

A butcher at the market slaughtered a hog of 300 pounds, which, upon examination, was found to be impregnated with trichina through and through.

[From the Frankfurter General Anzeiger of March 26, 1881.]

Of 190,288 hogs which were examined in the district of Cassel during the year 1880, 66 were found to contain trichina.

It is possible that the detection of trichina in Germany may be more frequent than it is in the United States, owing to the more rigid inspection which prevails in this country, but at the same time it should be said that during the period within which the foregoing discoveries were made, no case of the finding of trichina in American pork has happened, although that article, which is imported and consumed here in large quantities, has been subjected to the same inspection as the German. It may be further stated that, up to the present time, no trichinated American pork has, so far as known, ever been offered in this market.

As to the system of inspection which now prevails here, it may be remarked that propositions are now pending for its reorganization on a basis of a greater thoroughness. In some of the German cities the butchers have themselves taken the lead in this matter, and have not only provided for a careful examination of all the pork slaughtered, but have organized insurance companies by means of which they indemnify one another for the loss of confiscated swine in which trichina are found. Provision is also made for reducing this loss to the lowest point, by the adoption of processes by means of which the fatty parts of trichinated swine are separated and purified, and the remainder of the carcass is reduced to compost for fertilizing purposes. These arrangements seem to have practical value, and may be worthy the consideration of American butchers and packers.

I am, &c.,

ALFRED E. LEE,
Consul-General.

No. 93.

Mr. Potter to Mr. Hay.

[Extract.]

No. 30.] CONSULATE OF THE UNITED STATES,
Crefeld, April 5, 1881. (Received May 6.)

SIR: The unusual state of manufactures and trade in this consular district at this date * * * seemed to make it desirable that upon

these subjects I should make a brief report, which is herewith transmitted, together with some further information concerning trichinæ in American pork. * * *

I have, &c.,

J. H. POTTER,
United States Consul.

[Inclosure in No. 30.]

Report.

* * * * * * *

There still continues to be felt among dealers in and consumers of American pork, hams, and bacon, in this part of Germany, much anxiety and alarm growing out of rumors which have recently been circulated through the public press regarding the presence of trichinæ in such articles of food.

With a view of ascertaining to what extent the trade in American meats has been injured by such rumors I addressed inquiries to some of the principal dealers on the continent, and they have promptly furnished the desired information. In some localities an extensive falling off in the demand has occurred, and in others—notably in Belgium—the trade does not appear to have been much affected. All, however, agree that under a system of proper inspection the demand for American meats of this description would soon attain proportions larger than have heretofore been known.

The following letters received from two prominent firms dealing in American meats express the average sentiments prevailing among dealers regarding the effects of the recent rumors above referred to:

Messrs. Isenbart & Co. to Mr. Potter.

ANTWERP, *March* 15, 1881.

SIR: In reply to your inquiries of the 14th instant we beg to say that our business in salted American bacon has not suffered in a direct way through the unfavorable reports which have been of late circulating regarding trichina. Indirectly, we have felt the effects of the order prohibiting the importation of these articles into France. The transactions in bacon were, for a time, particularly disturbed everywhere, and this could not have been otherwise under the circumstances.

As far as we know uneasiness on account of trichina has not been felt of late years; and the prohibition order of the French Government, according to explanations given by the minister of the interior, in the corps legislatif, is a temporary measure only. It seems that, even in France, the public does not approve of this prohibitory order of the Government, and the people do not appear to be frightened on account of the rumors concerning trichina. It is to be hoped that this measure will soon be revoked.

If the Government would issue a decree requiring butchers and dealers to have their hog products microscopically examined by public sworn examiners, it would do all that is necessary to avert dangers arising from trichinosis.

During the last eight years we have almost daily sent American bacon to Germany, France, and Holland, as well as to various places in Belgium; and during all this time we have heard of only one case (Düsseldorf) where trichina had been discovered in American hams sold by us.

Here in Belgium no one thinks of trichina. No law exists to enforce microscopical examinations, and yet not a case of trichinosis has occurred. Bacon and hams in this country are eaten only after being thoroughly cooked, and this precaution ought to be taken everywhere, and then danger is not to be apprehended.

Believe me, sir, yours respectfully,

ISENBART & CO.

Messrs. Brand & Co. to Mr. Potter.

ANTWERP, *March* 16, 1881.

DEAR SIR: We have received your favor of the 14th instant. Since the French Government has prohibited the import into France of American hog products our market has been unsettled in the anticipation that other governments would take similar action, and consequently very little business has been done since with America. The demand for the articles in question up to the time of the publication of the French

law was very fair, and we might say larger than in former years for the same time Since then, or rather since the commencement of Lent, naturally the consumption of these goods has fallen off considerably. However, this is nothing unusual. All have every reason to believe that this ridiculous French decree will be repealed within a few weeks, and that a thorough inspection of American meats by order of the Government will be instituted. It is too early to draw any conclusions concerning the recent bad reports of trichina. Our personal belief is, however, that things will go on as before; for the examination of American pork, for instance, in Germany, has so far proven that the occurrence of trichina has been most rare.

The alarming and false report of the British consul in Philadelphia, stating that large numbers of hogs in America are affected by "hog cholera," will tend to injure the trade more than the trichina scare, as the consumers of American meats in Europe are liable to believe such stories, not knowing, as we do, that those reports are started by speculators to manipulate the markets. We are pleased to learn that the United States Government has taken up the matter and that the false statements of the British consul will be contradicted.

We are glad to say that *generally* the American meats imported this year have been of excellent quality. Hams and shoulders are, however, frequently, during the warm season, spoiled in transit, and it is of the greatest importance that the American shippers of such goods should use the utmost care in exporting only *thoroughly cured meats* of the best quality, and *well packed*. Often during the summer, and till late in the fall, there have been large quantities of bad hams—almost unfit to use—which are sold at very low prices, and pass into consumption. Such goods, we fear, may have been the principal moving cause of the French Government in prohibiting the importation and sale of American pork.

Yours very respectfully,

BRAND & CO.

* * * * * * *

All of which is respectfully submitted.

J. S. POTTER,
Consul.

No. 94.

Mr. Kreismann to the Assistant Secretary of State.

No. 552.] UNITED STATES CONSULATE-GENERAL,
Berlin, April 28, 1881. (Received May 12.)

SIR: The following data, showing the results of the inspection for trichinæ at Hamburg, have just been made public in the German Imperial Advertiser, viz:

Of 55,008 American hams examined in 1880, 566 were found to contain trichinæ; of 23,589 shoulders and sides of bacon, 270 were found infected with trichinæ.

In the year 1879, of 79,864 hams, 1,087, and of 22,749 sides and shoulders of bacon, 196 had been found infected with trichinæ. In 1878, of 35,510 hams, in 297, and of 14,003 sides and shoulders of bacon in 85 trichinæ had been discovered.

The percentage during the years mentioned of American pork infected with trinchinæ has therefore been as follows: 1878, 0.79; 1879, 1.11; 1880, 1.05 per cent.

As regards European pork, it is stated that in 1880, of 39,843 hams, 14 shoulders and sides of bacon, 9,913 hogs, 146 sausages, and 24 miscellaneous pieces of pork, none were found with trichinæ. In 1879, of 28,710 hams, 739 shoulders and sides of bacon, 16,204 hogs, 15,045 sausages, and 49 miscellaneous pieces of pork, 2 hams and 1 hog were found with trichinæ. While in 1878, of 17,113 hams, 222 shoulders and sides of bacon, and 10,838 hogs, in 3 hams were trichinæ discovered.

For the home articles, therefore, the percentage of the prevalence of trichinæ is made to appear as follows: 1878, 0.01; 1879, 0.006; 1880, 0.00 per cent.

Respectfully reporting in this connection receipt of the circular, with inclosure bearing date of the 23d March last, and of the instructions, Nos. 222 and 223, dated the 5th and 13th instant, respectively,

I am, &c.,

H. KREISMANN,
Consul-General.

No. 95.

Mr. Fox to Mr. Hay.

No. 144.] UNITED STATES CONSULATE,
Brunswick, June 7, 1881. (Received June 27.)

SIR: I have the honor to transmit herewith an advertisement with translation which appeared in the "*Braunschweiger Tageblatt*" a few days since. The advertisement explains itself, for in his effort at *réclame* for his own wares the advertiser has seen fit to attack and disparage those of American manufacture. The reference to American production shows how much competition from the United States is feared, and I am sure that such an advertisement as this is much more detrimental to our export trade than an editorial or local notice would be. The average German reading it will say to himself, "This must be true to a great extent, as no one would dare to make such statements unless there be a semblance of truth therein." This, added to the fact that the hue and cry has been general against American edibles, will cause thousands to abstain from their consumption rather than run any risk.

It is naturally a cause for inquiry why the German consumers are so bitter in their denunciation of American pork, for a healthy competition must naturally tend to their advantage. I attribute it to the fact that Germans of all classes will eat *rohen schinken* (raw ham) and *schmalzbrot* (lard spread on black bread) as delicacies. This is one of the main reasons why the inspection of swine is so rigid in this country. In asking the opinions of several physicians about raw ham, I found the medical fraternity does not agree. One physician maintained that it was delicious, digestible, and especially good for weak stomachs. Another declares that the practice of eating raw ham or raw meat of any kind is detestable, but the majority of Germans incline to the former view of the matter. It is therefore not to be wondered at that they are averse to American hams, taking into consideration that they have been heralded from one end of Europe to the other as totally unfit for consumption.

I earnestly join in the suggestion of my several colleagues and urge the necessity of thorough inspection of edibles before shipment. In a late conversation with a German merchant of recognized broad commercial views, and a thorough business man, I complained of the harshness with which our merchants were treated by those of his country. This gentleman replied "We need you; we must eat your pork, bacon, and canned meats, but we want to know what we are eating. Why does not your Government give us an official guarantee that the goods are pure?" I think this states the matter in a nut-shell. Inspectors of provisions should be appointed whose sole business would be to inspect provisions for export. These should be *United States officers*: this latter I merely make as a suggestion, for discussion and interchange of opinions may show such procedure to be incompatible with our business

system. The necessity for immediate action is, however, clear. We can trade successfully with Germany, who needs us, but we must have the good-will of the people, and in order to have that our merchants must maintain their reputation for integrity and fair dealing.

I am, etc.,

WILLIAMS C. FOX, *Consul.*

[Inclosure in No. 144.]

Translation of the advertisement referred to by Consul Fox.

MARGARINE OR SPAR BUTTER.—The results of the research, and the opinion of the city *control und Auskunfts station* of the agricultural institute of the Kiel University, and also of the chemist, Dr. Uler, in Hamburg, show that the above-mentioned spar-butter, as manufactured by me, contains a larger proportion of fat and is more durable than *good* butter, with the same appearance and taste, and can therefore be used as a perfect substitute, and is at all events much better than the poorer qualities of natural butter. Every chemist examining the same must obtain a like result. My margarine butter contains 85 to 90 per cent. clear butter fat, and is *better flavored, more nutritious, and healthier* than the American or so-called "Hamburg" lard. Owing to the fact that it is customary in America to feed corn, the lard contains a large quantity of oil, and is perfectly fluid in summer. Before it is sent to market, as the season may be hot or cold, from 10 to 20 per cent. of stearine is added in order to give it consistency. The stearine is indigestible, and hence the many stomach complaints caused by cooking with American "Hamburg City lard," causing belching, etc.

The process of manufacture of my margarine butter consists mainly in using fresh, clean-washed suet, which is placed under a cold pressure of 400 centners. The soft parts of the fat (margarine) are pressed out and then churned with milk and cream. The milk and cream give the aroma and flavor of fresh natural butter. In the manufacture of American lard, stearine is *added;* in my margarine the stearine is *abstracted.* My article is therefore healthier and more nutritious than American lard.

* * * * * * *

Ottensen in Holstein.

A. L. MOHR,
Margarin oder Spar-butter Fabrik.

No. 96.

Mr. Canisius to Mr. Hunter.

[Extract.]

No. 8.] CONSULATE OF THE UNITED STATES,
Geestemunde-Bremerhaven, June 11, 1881. (Received July 6.)

SIR: * * * I published in the leading newspaper of this port a German translation of the report of the chief of the statistical bureau, who was sent by the State Department to Chicago and Cincinnati for the purpose of investigating the truth of the sensational newspaper reports about the hog diseases in the West. This report, I am sure, will have a good effect and effectively dispell all false notions regarding American pork and hams. I attach a copy of the translation published. I could also have published it in the leading Bremen paper, but I suppose our consul there will attend to that.

* * * * * * *

I am, etc.,

T. CANISIUS,
United States Consul.

No. 97.

Mr. Fox to Mr. Hay.

No. 146.] UNITED STATES CONSULATE,
Brunswick, June 13, 1881. (Received July 6.)

SIR: I have the honor to send you inclosed an article with translation from the Pesther Lloyd, and published in the Braunschweiger Tageblatt of yesterday. From this it appears that American lard is also to suffer banishment. With the exception of an advertisement referred to in a previous dispatch, this is the first intimation I have that any objections had been raised to this article. American lard has long been a standard article here, and it is to the interest of our refiners to give this matter attention. I trust the Government will take decisive action toward refuting the manifold charges against our productions; otherwise it may be regarded as certain that sooner or later the portals of Germany will be closed against them.

I am, etc.,

WILLIAMS C. FOX, *Consul.*

[Inclosure in No. 146.—Translation of extract from Braunschweiger Tageblatt of June 12, 1881.]

The questions propounded to the Hungarian National Sanitary Council by the ministry of finance, viz: Whether lard imported from America was to be considered injurious to health, and whether it should be considered necessary to prohibit its importation?

These questions were discussed in session of June 2. The report of the referee, Dr. Ludwig v. Gross, was accepted and the following resolutions adopted:

Sanitary demands in relation to animal food are only fully complied with when a thorough knowledge can be obtained of the animal's origin and the mode of feeding, and it is further absolutely necessary to know that the animals are in healthy condition, and to exercise a control in this particular. Our laws and statutes provide and give sufficient guaranty against the sale of lard from diseased swine. It is, however, practically impossible to exercise this control over lard imported from America; and whereas it is shown by reliable reports that whole shiploads of salted and smoked meat of animals infected with disease during an epidemic were shipped to Europe, and that the consumption of the same caused sickness in Barcelona and Stockholm, it is correct to presume that the fat of those animals, of whose origin we know nothing, has been shipped to European markets and will prove injurious to health. This danger is greater from the fact that lard in America, especially Chicago, put up for export, is pressed out by machinery and not, as with us, by melting. The relative certainty that the *trichinæ spiralis* is destroyed, as is the case where intense heat is employed, therefore disappears. Therefore, whereas the fat of the diseased swine is injurious to health, and as the rules and regulations in force for the control of inland products must be equally applicable to products imported from America, and as any control as to the origin of American pork is impracticable, the Hungarian National Sanitary Council holds the opinion that lard imported from America is dangerous to health, and that its importation into the Hungarian dominions should be prohibited for the same reasons which cause the prohibition of pork and bacon.

No. 98.

Mr. Fox to Mr. Hay.

No. 147.] UNITED STATES CONSULATE,
Brunswick, June 17, 1881. (Received July 14.)

SIR: I have the honor to inclose an extract from the Braunschweiger Tageblatt of June 15, with translation, the same being the synopsis of a lecture delivered before the General Health Society in Berlin in relation to American meats.

In reference to the attack on canned corned beef, I can only say that I have eaten the Chicago and Saint Louis brands ever since I have been here, and have never noticed the slightest defect; neither has any been brought to my notice. As many of my acquaintances partake of this meat daily, I am sure that I would have heard it if there were any complaints to be made. As Geheimer Rath Roloff asserts, it is probable that the meat is eaten in fourth-class restaurants; it does not, however, alter the fact that it finds its way to the first tables of the land.

I often hear the cry, "You are killing us by *competition*," but never the complaint of *poison*.

I have, &c.,

WILLIAMS C. FOX, *Consul*.

[Inclosure in No. 147.—Translation of article from the Braunschweiger-Tageblatt, June 15, 1881.]

THE SANITARY DANGER OF IMPORTING AMERICAN MEATS.

In a late sitting of the German Society for the Maintenance of Public Health, Privy Counsellor Roloff discussed the sanitary risk in importing American meats.

We commend to the earnest thought of our readers the following communications, coming as they do from such recognized authority. Beginning, Herr Roloff laid great stress upon the necessity for rules to prevent the consumption of the flesh of diseased animals. He said, in course of time we have become acquainted with various diseases in animals which render their meat unfit to be eaten, while formerly such animals were slaughtered and no further notice taken.

The best possible guaranty is given by the institution of public slaughter-houses, and in order that inspection previous to as well as after death is possible, slaughtering there should be made compulsory. It is possible that certain stages of disease could be discovered in living animals with certainty, whereas after death the traces would disappear or the existence could not be established. Such diseases as tinnen, lungencirrhosis, and trichinæ can be easily detected after the slaughtering; the inspection is, however, uncertain if the meat has been cut up, or that of several animals has been mixed together. The inspection for trichinæ is easy, from the fact that we know the parts where they exist; these parts are removed, and if they are found to be free the swine can be pronounced clean. If the flesh of a swine has been mixed, and especially if that of several swine has been brought together, the inspection is then difficult, as the infected parts cannot be reached. Similarly difficult is the inspection of beef (*rindfleisch*), known to the trade as American corned beef. The American statistics show that from July 1, 1876, to June 30, 1877, 23,750,000 pounds (English) of bacon and hams, and from July 1, 1876, to June 30, 1878, 28,000,000 pounds, equal to 25,000,000 German pounds, of meats, sausage, especially canned meats (of which there were 5,000,000 pounds), were imported.

It is well known that trichinæ is of frequent occurrence in America; therefore sausage, bacon, and hams produced there must be considered very dangerous.

Inspections at different points show that from 1 to 4 per cent. of these preserves contain trichinæ. As may be easily foreseen, trichinæ will increase in America unless steps are taken to prevent it. In latter years another disease among the swine has prevailed in America, a malignant epidemic, which, as a rule, is deathly. For instance, in the previous year 1,390,000 swine died of this disease in the State of Illinois. Experiments in feeding the carcasses of these swine to others brought on the same disease with deathly results. Experiments by vaccinating herbivorous and carnivorous animals with dried parts of swine affected with this disease shows that the same is transferable, though in a milder form than by swine. Merely drying and smoking the meat does not banish the contagious matter; that a human being has become sick from eating such meat has not been proven, though it is not at all improbable.

As to the fact that these swine are slaughtered in America there is not the slightest doubt. An Englishman, who has lived there a long time, says in an English periodical that after what he has experienced and seen himself, that large quantities of these animals are used on this side of the ocean in one or another form as edible he would, under no consideration eat pork that he knew came from America. Furthermore, animals are slaughtered in which the disease is in a state of incubation.

Just as little as the inspection of sausage (*wurst*) can be depended upon, so it is with corned beef. In the preparation of this corned meat the flesh of many animals is mixed together. The upper layer can be healthy, while the disease is in the lower one. Many instances of sickness caused by the eating corned beef are on record, and in America attention has been called to the danger again and again. If it has not been thoroughly established that these sicknesses have connection with the eating of the meat, the suspicien is nevertheless very strong that such is the case.

In Holland, as much as 99 milligrams of lead was found in many of the cans, a predominance of solder that can be rendered harmless by properly examining the upper layers.

There exists also a cattle disease in America, a so-called Texas fever. This disease was formerly thought to be rinderpest, and as a rule resulted in death in about six or seven days after the outbreak. In later years this epidemic has made great strides throughout the land, and has not thoroughly disappeared. Animals affected with this disease can not be slaughtered, because the disease remains latent for some time, and whereas an inspection does not take place in America, preventive measures can only be brought to bear in the fewest instances.

It is an error to suppose that diseased animals are slaughtered because they are of little value. Notwithstanding that the amount of cattle has doubled in later years, the epidemic has been so great that the price has continually risen.

There is also a difference between cattle raising and cattle mesting. A lean ox costs in Chicago £7, and after mesting much more. In New York £16 to £17 is paid for an ox ready for slaughtering; therefore it is not to be supposed that the dealer will set aside oxen even when he notices that the same shows symptoms of disease.

In the communications of the health office (*Gesundheits-Amt*) of late date, there is a report that in one place a business is made of using diseased meat in preparing the canned beef. It is stated that a doctor of medicine, who inspected a certain factory, found 13,000 pounds of diseased horse flesh and mutton; further, 200 pounds sausage (*wurst*), colored with ocher in order to cover up its bad appearance. He says that he never saw such a nauseating mixture of meat in his life.

We have further authority that the flesh of diseased animals is used for preserves. The art of preparing the meat for canning gives no security that all infectious and contagious matter is destroyed.

We can not admit that American sausage and canned meat are so necessary to our existence that we can pass over their little defects. The 5,000,000 pounds of canned meat and sausage which were imported into Germany in 1876 may be calculated to have been produced from 16,000 half-fat oxen, one-fifth part of the oxen consumed in Berlin. The abandonment of this importation would be much easier from the fact that the price, 1,757 marks, is not reasonable, because the cans are filled with worthless meats, which are rich in sinews, &c. Deducting these, a can contains scarcely 700 grams of meat. When we pay 2 marks per kilogram (2 pounds) for tolerable meat, we buy much cheaper than we buy canned meat. In England it is eaten more especially by working people and in fourth-class restaurants.

It must be expected that with our large slaughter-houses the industry of preserving meat will also be started, and then we shall have healthy canned meats at perhaps less prices.

During the discussion Herr Mehlhausen stated that he had used American meat sin his family, but had abandoned them as impracticable.

Herr Eulenberg pointed out that in all cases of sickness, produced by eating canned beef, the symptoms were the same as result from eating rotten meat.

Herr Weise believed that many cans contained pork as well as beef.

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No. 99.

Mr. Canisius to Mr. Hitt.

[Extract.]

No. 12.]

UNITED STATES CONSULATE.

Geestemunde-Bremerhaven, July 12, 1880.

SIR: * * * I recently published the official report from the State Department relative to the disease of American hogs. I see now in the German papers that a certain Dr. Roloff, of Berlin, attempted to make the public believe that our corned beef as well as canned meats, found

in nearly all the large European markets, is unhealthy, asserting that diseased cattle were slaughtered for the purpose, and the meat put up with healthy beef. This willful misrepresentation was enunciated in public lectures, and was circulated everywhere through the German press. If the State Department would authorize an investigation as to the truth of this assertion, the German public, I am certain, would rather believe the State Department's official report than Dr. Roloff's affirmations.

* * * * * * *

I am, &c.,

T. CANISIUS,
United States Consul.

No. 100.

Mr. Schoenle to Mr. Hitt.

No. 14.] UNITED STATES CONSULATE,
Barmen, November 24, 1881. (Received December 17.)

SIR: I have the honor to transmit herewith a commercial report which, I trust, will be found of some value to the Department and of some interest to the parties concerned.

I am, &c.,

WOLFGANG SCHOENLE,
United States Consul.

[Inclosure in No. 14.]

AMERICAN CANNED MEATS AND THE GERMAN TARIFF.

There is much ingenuity in the persistent warfare waged in most of the European countries against American provisions, especially salted pork, lard, and canned meats, and these attacks still continue as bitter and persistent as ever. The contest is at intervals taken up and fiercely carried on under the pretense of protecting the sanitary condition of the people, and while the masses have been systematically frightened into the trichina scare, another method has been resorted to in Germany for the purpose of hampering the importation of canned meats, if not putting a regular embargo on them. The reckless reports circulated lately in several German prints, that the canned meats are prepared in the United States from the flesh of diseased animals' together with other vindictive diatribes, setting forth the danger of using these preserved provisions, did not cause any great falling off in the consumption of the same. Their superiority over other conserved meats has been recognized and appreciated, and they have grown so rapidly in popular favor that they are now sold in almost every retail grocery in the principal German cities. In order, however, to drive these articles of food out of market and render their importation impossible, recourse has been had in Germany to an extraordinary custom-contrivance, which has hardly a parallel in the history of tariff laws.

Since the adoption of the new German tariff, about two years ago, canned beef, tongues, meats, soups, and mince meats have been classified under the head of "slaughtered and prepared meats," and are subject to a duty of 12 marks ($2.86) per 100 kilograms (220 pounds avoirdupois), a duty which represents about 15 per cent. of the value of the merchandise.

One day, however, a custom-house official in Flensburg made a startling discovery. He found that labels were affixed to these tin boxes, and consequently the cases are technically in connection and coherence with another material. Inasmuch, according to instructions, as the packing thus classified is liable to the duties on the whole object, such goods, according to the official register, came under another heading in the tariff, and we find corned beef and similar articles classified by this custom-house wiseacre under the head of *iron wares*, such as knives, scissors, hair-pins, etc., and subjected to a duty of 24 marks ($5.72) per 100 kilograms, just doubling the amount

to be paid. The custom-house director for Schleswig-Holstein, to whom the interested party applied for redress, confirmed the decision of the subordinate officer, and the minister of finance at Berlin sustained it, and issued instructions (June 30, 1881) to all the head custom-houses to be guided by said decision, so that henceforth duties on corned beef, etc., in labeled boxes, are to be collected "under the classifications of knives, scissors, hair-pins," etc. Thus the contents of the boxes are not treated as dutiable, but simply the labeled boxes themselves. And some dealers in imported meats at Hamburg and Leipsic, who were not able to comprehend the profundity of this ingenious interpretation of the tariff laws, submitted a memorandum in reference to the case to the Bundesrath, the last resort and final arbiter in custom affairs. But this august body has not yet rendered decision on the subject, and the imperial chief custom-house, without waiting for such decision, has made arrangements to proceed to the collection of the after-payment of duties on the articles above referred to, so that by this operation the retail dealers are simply the losers of this additional duty of 15 per cent., as the contents of these boxes had been eaten up long ago. It is obvious that this arbitrary and unjustifiable increase of import duties on canned meats must work as a prohibitive clause, and such an interpretation of the tariff laws is in direct violation of international comity, and unjust in its application. As a result of such proceedings, the question may probably arise for consideration and legislation of the American Government, whether it be not time to devise retaliatory measures against any oppressive and unfair ruling, prejudicial to the interests of American commerce with Germany.

WOLFGANG SCHOENLE,
Consul.

UNITED STATES CONSULATE,
Barmen, November 24, 1881.

No. 101.

Mr. Frelinghuysen to Mr. Everett.

No. 298.] DEPARTMENT OF STATE,
Washington, January 26, 1882.

SIR: The American consul at Barmen having reported to this Department that American canned meats have been classified in the German tariff under the head of "iron wares," I will thank you to inquire into the subject, and to make such representations to the German Government in reference to the matter as the facts may seem to justify, with a view to having this restriction upon our commerce removed. Inclosing herewith, for your information, a copy of a dispatch from the consul at Barmen,

I am, etc.,

FREDK. T. FRELINGHUYSEN.

(Inclosure in No. 298:) Mr. Schoenle to the Assistant Secretary of State. No. 15, December 22, 1881.

No. 102.

Mr. Davis to Mr. Everett.

No. 301.] DEPARTMENT OF STATE,
Washington, February 8, 1882.

SIR: I inclose herewith for your information a copy of a letter from Messrs. William Archdeacon & Co., of Indianapolis, Ind., stating that they have been advised that the German authorities have prohibited the importation of one hundred barrels of pigs' tongues shipped by them

to Altona, Germany, and also that a general prohibition has been issued by the Government of Germany against American pork.

I will thank you to lose no time in calling the attention of the German foreign office to the case of William Archdeacon & Co., with a view to securing for them such relief as the facts may be found to make necessary.

I have furthermore to instruct you to report to this Department at your earliest convenience all the information you may be able to obtain as to any recent action by the German Government in reference to the importation of American pork into Germany; and all the facts which may tend to throw any light upon the subject.

I am, etc.,

J. C. BANCROFT DAVIS,
Acting Secretary.

[Inclosure in No. 301.]

Messrs. William Archdeacon & Co. to Mr. Frelinghuysen.

INDIANAPOLIS, *February* 5, 1882.

DEAR SIR: We received an order early in December from Altono, Germany, for 100 barrels of pigs' tongues, and shipped same early in January. We are now in receipt of a letter from the bank in Hamburg saying "that American pork has been prohibited in Germany," and our goods will not be allowed to land there.

The shippers and shipping agents from whom we have sought information deny that such is the case, and our goods in the meantime lie there.

If you can give us any information on the subject you will confer a favor on

Yours, respectfully,

WM. ARCHDEACON & CO.

No. 103.

Mr. Everett to Mr. Frelinghuysen.

No. 295.] LEGATION OF THE UNITED STATES,
Berlin, February 11, 1882. (Received March 2.)

SIR: In accordance with your instruction, No. 298, of the 26th ultimo, received yesterday, I have the honor to state that, on inquiry of leading importers here, I find that the special custom-house regulation, or rather the construction of it therein mentioned, classifying American canned beef as iron ware, has within the last ten days been suspended. There is always, however, the possibility of its being again applied, which greatly interferes with making contracts, besides the additional grievance, which is perhaps more objected to by importers than the duties themselves, that all tariff laws are retrospective, and thus every new regulation, especially if it increases the existing duty, may be applied to all goods of the same class imported during the previous twelve months, whether sold or not. Nor are goods allowed to be exported out of bond before paying duties, as in England and America. Whether such retrospective application occurs when duties are diminished or taken off, I have not yet succeeded in positively ascertaining.

The withdrawal of the special decision in question is probably mainly due to the fact that it is successfully evaded by the importation of the beef in cans without labels, which latter are sent separately by post and affixed subsequently to the payment of the duties; and also to the proposed stamping of the cans as is done in the case of French canned peas.

A more onerous duty has, however, been under the same regulation put on American shredded codfish, which last year came in thin wooden boxes, such as Swedish matches are packed in. The duty on wood being higher than that on fish, this article of food was then taken as "wooden ware" in the same defiance of natural history as when beef was classed as iron ware. This, however, has been evaded by packing the fish in pasteboard boxes. Sugar-cured hams, being covered with linen cloth, are by the same rule classed as "fine linen," and subjected to a much heavier duty than pork, etc.

English emery powder, which is one of the very cheapest articles of commerce, is, if it comes in tin canisters, as it usually does, taxed as iron ware, which effectually stops any extensive sale of it. A peculiar kind of liqueur from Russia in bottles, which are partly protected with a silken cover, is classed as "silk goods" which are taxed higher than spirits.

Where the case containing the food does not give a sufficiently high duty, the expedient is resorted to of classifying the goods "as fine table delicacies," which bear a very high duty. This is the case with our tinned tomatoes and potted meats, which are thereby restricted to a very small sale as a pure luxury, and yield little or no profit to the importers. A special instance of the consequences of this interpretation of the tariff laws deserves mention. An order was given by the army commissariat department to an American importer for a peculiar preparation of beef and vegetables mixed and packed in tin cases, of such a form that the contents could on the march be quickly heated and eaten from the cans as dishes, the latter being then thrown away. The order was satisfactorily filled, but as the custom-house officials insisted upon classing the article as "table delicacies," though knowing it was for the army, the importer was unable to make any profit on his contract, which was based on the price of "beef," and declined to furnish any more. A similar proposal to furnish the German fortresses with canned food, to be stored away in case of siege, was abandoned for the same reason.

Every kind of representation and appeal has been made by importers to the treasury department here, but without avail; the reply being that domestic manufacturers must be protected, and that American tariffs are equally oppressive. In spite of it, however, the German enterprise does not appear to supply the demand.

The obnoxious regulation is based on the idea expressed in the American tariff where articles consisting in part of steel, silk, or spirits are taxed at the same rate as these latter; but the difference lies in the fact that in the present case the materials regulating the duty can not by the most liberal construction be taken to form a part of the food products imported; nor is this claimed by the German Government. The unreasonableness of the regulation is shown by its not being applicable when the tin cases have no labels on them. Bar-iron might just as well be admitted duty free because it has not fancy-colored labels; and its unjustness is evident from the fact that as all duties are here levied according to the weight of the goods, the tins are falsely taxed as so much iron, for the principal part of the weight is in the contents. Were the beef and the tin cans taxed on different scales there might be some appropriateness in the law.

I shall, in accordance with your instructions, keep myself informed in regard to these tariff regulations, and should I find that there is any probable advantage to be gained by an official appeal to the Government I shall at once make it and report the result to the Department.

I herewith inclose the ministerial decree in regard to canned beef, by which it will be seen that only such coverings as are intended to be permanent are to be considered as dutiable, and that in these cases the material, whether of the case or its contents, which bears the highest value, is to be taxed. It remains to be seen how this will be interpreted.

I have, etc.,

H. SIDNEY EVERETT.

[Inclosure in No. 295.—Translation.]

Decree of the royal finance ministry concerning meat put up in white iron boxes with paper labels.

BERLIN, *January* 23, 1882.

In response to your report of the 11th instant, I declare myself in accord with you in the view you express therein, that upon meat imported from abroad in white iron boxes with paper labels as sole covering, in accordance with the provision in the first subdivision of instruction, Item IV of the official tariff, the rate of 12 marks per 100 kilos is to be applied pursuant to No. 25 g 1 of the tariff, and that therefore the covering referred to is not to affect the duty rate.

Where, in the official list of articles, in the note to "etuis" it is prescribed as to tare in accordance with the provisions of § 4 that etuis, cases and *other coverings*, which are intended to serve further as receptacles for the wares they contain, shall be subject to duty as a whole, taken together with the wares according to the rate of tariff due upon the higher taxed article, be it the etuis taken alone or its contents considered separately from the etuis, it is to be understood that under the *other coverings* only such coverings are intended as are according to their character and purpose to be reckoned as equivalent to etuis.

The MINISTER OF FINANCE.

The Royal Provincial Tax Director,
Mr. KRÜGER,
Altona.

No. 104.

Mr. Everett to Mr. Frelinghuysen.

No. 298.] LEGATION OF THE UNITED STATES,
Berlin, February 23, 1882. (Received March 18.)

SIR: I have the honor to acknowledge your instruction No. 301, of the 8th instant, received this day, inclosing a complaint of Messrs. William Archdeacon & Co. to the Department of State, that the importation of American pork has been prohibited in Germany, and that they are thus prevented from bringing into Germany 100 barrels of pigs' tongues which they have shipped to Altona, and directing me to call the attention of the foreign office to the matter.

In reply, I have the honor to state that this prohibition of the importation of pork is not new, but dates back to June, 1880. On the 29th of June, 1880, Mr. White informed the Department by telegram, as also in dispatch No. 136, of the prohibition by imperial decree of the 25th June, 1880, of the admission of all kinds of pork except hams and sides of bacon, and inclosing a copy with translation of the decree. Mr. White, at the same time, stated that in an interview with Mr. von Hoffmann he had ascertained that the reason of the prohibition was that trichina could not be easily detected except in these two forms of pork.

From the special mention of hams and bacon in the decree, I have no doubt that tongues are included in the category of forbidden forms of

pigs' flesh, but I will, in accordance with your instructions, address the foreign office on the subject and ascertain whether there is any special exemption for pigs' tongues, and, in case there is not, whether it would be possible to pass this one shipment of Messrs. Archdeacon & Co., after a rigid inspection, to insure the pigs' tongues being in a fit condition for food.

I would also state in this connection that in December, 1880, Messrs. Armour & Co., of Chicago, the largest pork-packers in the world, addressed a similar complaint to this legation, that they were debarred by the above-mentioned decree from exporting their canned brawn to Germany, and they claimed that this particular preparation of pork was safe from danger of trichina, as it had been subjected to a temperature of 250° Fahrenheit, a certificate of which could be sent with each shipment. They were advised, in reply, to lay their case before the Department of State, which would then instruct the legation to intervene in the matter, if it should be thought best. I trust that I shall not be exceeding my instructions if I include Messrs. Armour & Co.'s grievances with those of Messrs. Archdeacon & Co. in my note to the foreign office.

I have, etc.,

H. SIDNEY EVERETT.

No 105.

Mr. Everett to Mr. Frelinghuysen.

No. 308.] LEGATION OF THE UNITTED STATES,
Berlin, March 27, 1882. (Received April 13.)

SIR: Referring to your instruction No. 301, of the 8th ultimo, and my reply to the same of the 23d ultimo, I have the honor now to inclose the correspondence between this legation and the foreign office on the subject of the importation of pork products, by which it will be seen that the German Government refuses to modify its prohibitive decree of the 25th June, 1880, so as to allow the consignment of pigs' tongues from William Archdeacon & Co. and the brawn of Messrs. Armor & Co., of Chicago, to enter Germany.

I have, etc.,

H. SIDNEY EVERETT.

[Inclosure in No. 308.]

Mr. Everett to Count Hatzfeldt.

LEGATION OF THE UNITED STATES,
Berlin, February 25, 1882.

The undersigned, chargé d'affaires *ad interim* of the United States of America, has the honor, by direction of his Government, to call the attention of his excellency Count Hatzfeldt, provisional secretary of state for foreign affairs to the subject of customs duties on articles of food from the United States coming into Germany.

The undersigned would respectfully represent to his excellency that the American Government is informed by the reports of its consuls, as well as by the complaints of individual exporters, that articles of food, such as beef in cans, hams in cloth covers, and salt fish in wooden boxes, are not allowed by Germany to pay duties, as in other countries, under the class of imports to which they belong, but are taxed by weight under the class of material in which the boxes in which they are packed are made. For instance, canned beef, instead of paying a duty of 12 marks per 100 K. according to No. 25, g. 1, of the official tariff of July 15, 1879, is taxed at 24 marks per 100 K.

as iron-ware, under No. 6, c, 3, B, because it is packed in tinned-iron cans, and iron bears a higher rate of duty than beef. Likewise, dried salt fish, instead of coming in as fish, because it is packed in wooden boxes like Swedish matches pays as *wood* a much higher duty. It further appears that if the cans have no labels, the lower duty on beef is charged.

The undersigned, after a careful study of the tariff laws, fails to understand such an interpretation of them by the officers of customs, especially as by a treasury order of the 23rd January, 1882, Mr. Krüger, the collector at Altona, is informed that the nature of the covering is not to affect the duty rate of goods. Notwithstanding this order the legation is informed that at Hamburg American beef is still taxed as iron-ware, because the iron cans are packed, simply for the purpose of transportation, in large wooden cases. It is surely superfluous, however, to remark that the beef is the only really dutiable article in this instance, as it is shipped as beef in invoices and bills of lading, and sold as beef, both wholesale and retail, sometimes even without the cans, by the slice.

The undersigned trusts that the imperial finance ministry will, when their attention is called to it, see the injustice of taxing these nourishing and cheap articles of food under the class of material which does not in any way enter into their composition, and only serves to protect them during transportation, just as the ship protects them on the sea, or the railway wagon on land. It would also appear to be an error to tax them as so much *weight* of iron or wood, as the principal weight is not in the iron cases, but in the beef. Therefore, if the iron or wood must be taxed it would seem to be more correct to tax them by their own weight separate from the beef or fish, and in addition to the tax on the beef or fish taken by themselves, which latter could even be increased if necessary.

The undersigned, in the hope that his excellency will give this matter his early attention, and endeavor to meet the apparently reasonable complaint of the importers, avails himself of this occasion, etc.

H. SIDNEY EVERETT.

[Inclosure 2 in No. 308.—Translation.]

Count Busch to Mr. Everett.

FOREIGN OFFICE,
Berlin, March 22, 1882.

The undersigned has the honor to inform Mr. H. Sidney Everett, chargé d'affaires of the United States of America, in reply to the esteemed note of the 24th ultimo, concerning a consignment of American pork which has been detained at Altona, that the prohibition of June 25, 1880, is still in force, and is especially applicable to prepared pigs' tongues.

After a careful examination in the proper quarter of the facts in the case, it has not been considered feasible to make an exception to the existing prohibition in favor of the large consignment of pigs' tongues, and the preparation known as "brawn," referred to in the esteemed note.

The undersigned avails, etc.

BUSCH.

No. 106.

Mr. Schoenle to Mr. Frelinghuysen.

No. 21.] UNITED STATES CONSULATE,
Barmen, March 30, 1882. (Received April 19.)

SIR: I have the honor to transmit herewith a special report on the latest tariff discrimination practiced by German customs officials against American hams, and I trust the statements will be of some interest to the Department and the American meat exporters.

I am, etc.,

WOLFGANG SCHOENLE,
United States Consul.

[Inclosure 1 in No. 21.]

Tariff discriminations in Germany against American hams.

There seems to be a determined and increasing effort on the part of the German customs officials to greatly impede, and even absolutely prevent, the future importation of certain American products, especially provisions, by forced constructions of the tariff regulations. These tariff anomalies are lately repeated so continually and systematically, that a preconcerted action of the ruling customs authorities can hardly be questioned. While they have not long ago contrived to double the duty on canned meats by taxing the labels on the tin boxes, they have recently hit upon the idea to subject to a duty of 80 marks ($19.04) per 100 kilograms all hams wrapped up in canvas; thus classifying hams under the head of "cotton goods."

By assuming the cotton tissue an essential part of the ham, and thus taxing the wrapper instead of the ham, the duty has been nearly septripled, having been raised from 12 marks ($2.86) per 100 kilograms to 80 marks ($19.04) per 100 kilograms.

This invidious tariff discrimination against American hams (for only American hams are inclosed in a cotton tissue) has been enforced first at the custom-house in Bremen, about the beginning of February last, and since that time has been put in operation at several other custom-houses in the German Empire. A case of that kind occurred only about a week ago at the custom-house in Hanover, where American hams, consigned to an importing house in Barmen, have been subjected to the above-mentioned exorbitant duty. The party interested has paid the duty under protest, and is about to seek redress with the minister of finance in Berlin. Similar protests have already been entered against the capricious interpretation of a clause in the tariff by several importers in American meats. That such an oppressive and unfair ruling is almost equivalent to a formal interdiction of the importation of American hams in Germany is obvious. In submitting this last tariff curiosity without any further comments, I can, however, not help making one more observation, namely, that the more they increase taxation on American food product *in* Germany the more they increase emigration *from* Germany.

WOLFGANG SCHOENLE,
Consul.

UNITED STATES CONSULATE,
Barmen, March 30, 1882.

GREAT BRITAIN.

No. 107.

Mr. Livermore to Mr. Hay.

No. 87.] CONSULATE OF THE UNITED STATES,
Londonderry, October 23, 1880. (Received November 9.)

SIR: In conformity with instructions contained in the circular of the Secretary of State, dated on the 1st day of July, 1880, requiring the consuls "to prepare and forward to the Department reports upon all subjects which may be calculated to advance the commercial and industrial interests of the United States," "and to give such information as may aid manufacturers, agriculturists, and others to understand the particular wants and requirements of the several markets," I think it is proper that I submit a statement of a few facts, together with some suggestions relating to the trade in bacon and hams.

During the year ending on the 31st of August last there arrived at this port 3,636 boxes American hams, valued at $176,709, and 8,962 boxes of American bacon, worth $348,342; in all, $525,051, and probably more, yet still a small amount in comparison with the entire sum of those commodities produced in the United States and exported thence.

The fact that seems to demand attention is that they are retailed here at from one-half to three-fourths the price that is paid for English and Irish bacon and hams, and that a corresponding difference prevails in the wholesale trade by reason of the generally recognized inferiority of the American product. True it is that to some, and to a growing, extent selections are made from the latter, which, after washing and drying,

are put upon the market without being distinguished as inferior articles, and perhaps eventually cease to be recognized as American. This is not due to any improper act or concealment on the part of the dealers successively handling the goods, but to the fact that no small quantity of the American is quite as good as the domestic product. Of course the care and skill with which the selection is made are rewarded with a good profit to those who make it.

Still there remains a large proportion of the American bacon and hams of undoubted inferiority to the rival article, and a prestige is thus created injurious to those who have succeeded in producing an article that, but for the presence of the bad company in which it is found, would enter upon the competition without fear. The Irish peasant now sells his hog and with the proceeds buys American bacon.

For this inferiority of our goods one cause assigned is want of skill or fidelity in the process of curing, by reason of which the American meats can not be kept so long as the British, and the best lots do not yield nearly so large a proportion for special selection as do the rival lots.

Another cause is said to be the American fashion of feeding the animal on Indian corn exclusively, the consequence of which is said to be that their hams and bacons, in the process of cooking, melt or dry out largely, so as to leave a very small and worthless residuum, resembling what is known as scraps. This theory seems sufficiently plausible to demand the attention of those who are engaged in fattening this animal. He is well known, when at liberty, to be choice and dainty beyond most domestic animals in the selection of his food, but easily induced when in confinement to consume largely of almost anything thromn to him. But this indiscriminating absorption and assimilation may not of necessity be a healthy function, and it may be worth the experiment to learn whether some variety in the feed, by being more in consonance with the instincts of the animal, may not be attended with desirable results in the particular mentioned.

Climate has been named as another possible cause of the mischief; and in the extreme heat of an American summer it may be important to provide some protection for the prisoner, perhaps uncomfortable from overfeeding. But the hog is found to thrive in nearly every climate in which men are found, and the probability is that the impediments to the successful feeding and curing of pork are quite surmountable, if pains be taken to ascertain and surmount them.

It is certainly an important thing that American productions of various descriptions are introduced into foreign markets at prices that insure a ready sale for them. Yet it is a subject for regret and mortification if, through any preventable causes, they appear there only as second-rate goods.

Your obedient servant,

ARTHUR LIVERMORE.

No. 108.

Mr. Evarts to Sir Edward Thornton.

DEPARTMENT OF STATE,
Washington, March 7, 1881.

SIR: I have the honor to call your attention to the report which reaches this Department, that the consul of Her Majesty at Philadelphia has recently cabled to his government that excessive mortality has

prevailed among western swine during the past season, and that over 700,000 had died of hog cholera in Ohio alone.

The injurious effects which such a statement could not fail to cause to a large and profitable branch of American industry, if substantiated, has led this government to take the most active measures to investigate the truth of the rumor. The concurrent testimony of the authorities, both Federal and State, of the Western States, covering all the districts where swine are raised for a market, leads this Department to regard the rumor as not only without good basis, but as absolutely false. Neither infectious disease or unusual mortality from epidemic causes are known to have prevailed during the past two years; on the contrary, I received the most positive assurance from all sources that the condition of the hogs in the West was never more healthy than during that period.

In view of the natural alarm caused by the unverified statements of the consul at Philadelphia, and the irreparable damage which may ensue to wide-spread interests, without its immediate and positive contradiction, I hasten to bring the matter urgently to your attention, to the end that the denial of this hasty assertion may be so prompt and authoritative as to undo the harm already done.

I have, etc.,

WM. M. EVARTS.

No. 109.

Sir Edward Thornton to Mr. Evarts.

WASHINGTON, *March* 7, 1881. (Received March 7.)

SIR: With reference to your note of to-day's date, I have the honor to inform you that the statement to which you refer, concerning the mortality among swine, must have arisen from a report which was made on the 21st of December last by Mr. Crump, then acting consul at Philadelphia, copy of and extract from which is inclosed, and which was published at London in the Times of the 19th ultimo.

You will perceive that it refers to Illinois and not to Ohio. I have already made inquiry upon the subject, by telegraph, of Her Majesty's consul at Philadelphia, who has informed me by the same means that the statement was made upon good authority; but I expect to receive a further report from him to-morrow.

I have, etc.,

EDW'D THORNTON.

[Inclosure.]

Extract from Mr. Crump's report on swine disease, December 21, 1880.

From a sanitary view it may not be impertinent to call your lordship's attention to the immense mortality among swine by disease known as "hog cholera," of which about 700,000 head have died this year in Illinois. Immense quantities of pork are annually shipped to the United Kingdom, and as the disease *trichina spiralis* seems to be on the increase, the subject is not unworthy of attention. Two persons recently died in Milwaukee and one in Chicago. In the latter city several persons are ill with it at the present time, and one entire family attacked about a month ago are not yet out of danger. A case just reported from Kansas describes the symptoms of the disease when it attacks the human family. In this case the victim is a farmer. He had been ill for some time and became much reduced in flesh. Upon consulting a physician, trichinæ were found, worms were in his flesh by the million, being scraped and squeezed from the pores of the skin. They are felt creeping through his flesh,

and are literally eating up his substance. The disease is thought to have been contracted by eating sausages.

Trichina spiralis may be conveyed to human beings, it is thought, by gross adulterations used in the manufacture of butter and cheese, of which there is some exportation to England. The former is adulterated with lard and grease, which, in many cases, are taken from the places where hogs die of disease and then rendered into grease, glue, etc., and the latter by a commodity called "antihuff."

No. 110.

Mr. Lowell to Mr. Evarts.

No. 139.] LEGATION OF THE UNITED STATES,
London, March 9, 1881. (Received March 25.)

SIR: Something like a panic has lately been produced in the pork trade between the United States and this country, by means of reports sedulously put in circulation, as I have little doubt, by speculators aiming at a great and sudden fall in prices. The importance of the trade may be judged by the fact that 350,000 tons of pork, or products of the pig in various forms, were imported into England from America last year, if I am correctly informed.

For some time the newspapers have been full of reports of the abundant presence of trichinæ in American swine, and of the consequent danger of eating their flesh in any of its forms. These were followed by stories of great mortality by cholera of hogs in the Western States. Before long, deaths were reported at Nottingham and Dublin, in consequence of eating American ham, and were attributed to trichinosis. Inquiry showed that there was not a particle of proof either that those persons had eaten of such ham or had died of the alleged disease.

The alarm produced by so much persistent fabrication and assertion led to a question being asked in parliament (on the 1st March) and very satisfactorily answered on behalf of the privy council by Mr. Mundella, who treated the reports as unfounded, and the cases of death as in no sense traceable to American pork. Mr. Mundella is fully aware of the great importance of the trade in cheapening food to the poorer classes in England, and entirely disposed to prevent any unnecessary restrictions upon it.

I should be glad to know whether any system of inspection of pork exists in the United States; whether it is under the sanction of national authority or not; and whether it is so applied as to be efficacious. Considering the very great interests involved, it might be thought that those engaged in the trade at home would, for their own protection, insist on the very strictest supervision by competent officials.

I have kept Mr. Mundella supplied with whatever information I had on the subject, and this morning communicated officially to the Times a copy of your last telegram.

I have, &c.,

J. R. LOWELL.

No. 111.

Mr. Blaine to Sir Edward Thornton.

DEPARTMENT OF STATE,
Washington, March 9, 1881.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, addressed to my predecessor, in response to his note of the

same day to you on the subject of the alleged prevalence of hog-cholera in the Western States.

While most fully appreciating your promptness and courtesy in taking such energetic steps to investigate the authority for the strange announcement made by Mr. Crump, late acting consul of Her Majesty at Philadelphia, I regret that the further report on the subject looked for by you from the consul at Philadelphia should not have yet been communicated to this Department, in view of the urgency of the matter.

Confirming the statement in Mr. Evarts' note of the 7th that all means of information at the command of the Department concurred in showing the late published report as wholly without foundation, I hasten to transmit copies of resolutions of the Merchants' Exchange of Saint Louis, and of the Chamber of Commerce of Cincinnati. The latter explicit denial, as you will perceive, covers the State of Ohio to which, as you remark, Mr. Crump's statement refers, and not to the State of Illinois.

I am also, to-day, in receipt of a communication from my colleague, the Secretary of the Treasury, conveying explicit denial of the report published in the Times, and asking that the character and source of the information on which Mr. Crump's dispatch was based be ascertained. It may be that, as stated in the telegram you have received from the consulate at Philadelphia, credence has been given to what appeared to be "good authority;" but all that this Government can learn, after searching inquiry, leads irresistibly to the conclusion that the good faith of Her Majesty's representative at Philadelphia has been imposed upon by designing speculators, in their own selfish interests, and to the incalculable injury of legitimate commerce.

Should this be so, I trust you will concur with me that no steps can be too urgent or imperative to overtake and contradict this false statement, and that this Government can not too confidently look to Her Majesty's legation for an authoritative denial thereof.

I have, etc.,

JAMES G. BLAINE.

[Inclosure 1.—Telegram.]

SAINT LOUIS, *March* 7, 1881.

Hon. JAMES G. BLAINE:

The board of directors of the Merchants' Exchange of Saint Louis to-day adopted the following:

"Whereas a report has been made public to the effect that a disease of malignant character is prevalent among the swine of this country, tending to intimidate foreign and local buyers of the product; and

"Whereas all experience and knowledge of this year's packing warrant the opinion that never before, in the annals of the pork-packing trade, was there comparatively less disease among swine or less cause for apprehension on the part of the consumer than at present: Therefore,

Resolved, That in the opinion of the directors of the Merchants' Exchange of Saint Louis the alarm caused by said reports is entirely without foundation, and the assurance is given that the hog product of this season is more free from disease and more healthful generally than ever before."

MICHAEL MCENNIS,
President.

[Inclosure 2.—Telegram.]

CINCINNATI, OHIO, *March* 5, 1881.

Whereas it is currently reported that the British consul at Philadelphia has sent a dispatch to England, completely false in character, to the effect that seven hundred thousand hogs have died from cholera: Therefore,

Resolved, That the Cincinnati Chamber of Commerce hereby gives, to the official representatives of Great Britain in this country, its most positive assurance that the hogs of the State of Ohio and of the whole West have been during the past year singularly free from disease of all kinds, and respectfully ask the members of the legation to take such action as would immediately correct the effects of the reports, which are calculated to inflict great damage on the provision trade of both the United States and Great Britain, and which doubtless have had their sole origin in mercenary motives.

HENRY C. URNER,
President.
JOS. H. FOOTE,
Secretary.
SIDNEY D. MAXWELL,
Superintendent.

No. 112.

Mr. Smith to Mr. Hay.

No. 87.] UNITED STATES COMMERCIAL AGENCY,
Nottingham, March 9, 1881. (Received March 25.)

SIR: The sale of American hams and bacon in Europe having become a very important business, everything calculated to interfere with it must be interesting to a large class of persons in the United States. I therefore beg leave to report some facts which have excited much attention in this community within the last few months.

In June last there was an extensive sale of timber and machinery on the estate of the Duke of Rutland, at Welbeck, Nottinghamshire. The sale lasted five days. A large number of persons were present during the several days; estimated from 1,500 to 2,000. For the accommodation of the visitors refreshments were provided on the spot, each day, by the proprietress of a hotel with a large trade at Mansfield, and many persons partook of them. Of those who thus partook a large number residing over a very wide area were subsequently taken ill, some slightly and some severely, and two of those attacked died from their illness. Some fragments of the food supplied at the sale were moreover taken away and distributed to five poor families. Members of those families (who had not been at the sale) were similarly attacked with illness, and two of these persons died.

The refreshments provided consisted of cold boiled hams, cold baked or roasted beef, cold beefsteak pie, mustard and salt, bread and cheese, pickles and chutney sauce. The drinkables were bottled and draught beer, spirits, ginger beer, lemonade, and water.

The hams were what are known as "American hams." Seven hams were sent to Welbeck; six were purchased of a tradesman at Mansfield and cooked in the hotel kitchen; one was purchased, ready cooked, from a coffee tavern in Mansfield. The seventh ham was cured and dried in America. The six purchased from the first-mentioned tradesman had been made on his business out of six legs of salted American pork which had been purchased of a merchant at Hull.

The beef sent from the hotel was all supplied by one butcher in Mansfield, who kills his own meat. The bread, cheese, pickles, and condi-

ments were such as were in habitual use at the hotel. Ample evidence, derived from considerations of distribution, soon disproved any causative relation of the water and other drinkables with the occurrence of disease.

The food cooked at the hotel was stored in a pantry that was not in a satisfactory sanitary condition, there being an opening into a sewer which caused offensive smells, and under a cupboard in the pantry was found a vessel containing several pieces of ham and pork in a moldy and maggoty condition.

The refreshment rooms at Welbeck seem to have been in themselves cleanly, but they also had an opening into a sewer, which was the general sewer for that part of the estate, and received sewage from water-closets of residences, from stables, cow-sheds, etc., and were not provided with any means of ventilation, the only ventilation being into the building containing the refreshment rooms. The unconsumed provisions were each night stored in this building for future use.

With regard to the persons who partook of refreshments at Welbeck and were subsequently taken ill, Dr. Edward Ballard, from whose exhaustive report it got the facts stated herein, says:

Of these I have more or less complete record of the illness of seventy-two, and I had given me assurances of a similar illness having occurred in a considerable number of other persons who had attended and taken refreshments at the sale, so that it is certain that those seventy-two were by no means all that suffered. On the other hand, I myself inquired personally into twenty-two instances of individuals who had partaken of the same kind of refreshments as those who had suffered and yet escaped illness altogether. Probably there were very many more escapes than those, since it was far more likely that I should hear of the sufferers than those who did not suffer. In fact in the course of my inquiry I heard casually of several more of that class. We may take it, I think, that at least one-half, probably more than one-half, of those who partook of certain solid refreshments ate them without injury.

Dr. Ballard gives particulars of the cases of persons who were taken ill and of those who died, which I do not think it necessary to repeat. The cases of death included both persons who had and others who had not been at Welbeck.

It appears that part of the food was taken back to the hotel from Welbeck and eaten there without any ill effects.

Dr. Ballard gives the characteristics of the disease under the general description of "diarrheal illness." I do not think it necessary to go into the details of the several cases. He says:

The mildest cases were characterized usually by little remarkable beyond the following symtoms, viz: abdominal pains, vomiting, diarrhea, thirst, headache and muscular weakness, any one or two of which might be absent.

He also gives the results of some post-mortem examinations, the details of which you will see in his report sent herewith.

As to the cause of the disease, Dr. Ballard says:

Keeping in view the series of cases at Mansfield, where persons of different families who had not been at Welbeck were, nevertheless, ill after eating what was brought from thence, no hypothesis as to the cause which does not refer to the meat dispensed there or to the mustard laid upon it within the sandwiches can be entertained. The mustard was Coleman's mustard, part of a keg of mustard in habitual use at the hotel, and, therefore free from suspicion. Obviously it was either the ham or the beef, or both, which had done the mischief.

He then says that some of the people complained of the taste of the ham, etc. He proceeds:

Some of the medical men who attended the sick professionally suspected that the hams were trichinosed and that they might have been treating cases of trichina disease. But although I felt bound to respect this suspicion I did not at any time seriously entertain it myself.

I myself, thought it more probable that the meat, exposed to the influence of sewer air, might, after night, in the lower refreshment room, have, perhaps, undergone some chemical change short of actual putrefaction which had rendered it unwholesome. On the whole I felt much in the dark, and with a view of obtaining light on the subject, and to tell so far as was practicable the correctness of the above notion, I set on foot the experiments which I am about to detail. The result has been not only the refutation of both the above notions, but of detecting in the hams the presence of a morbific element which, so far as I know, is now for the first time demonstrated.

For the experiments I refer you to Dr. Ballard's report inclosed. The results which are claimed to have been attained by those experiments, and which are most important, were:

1st. The absence of trichina in the ham was established. 2d. The presence in all three portions of ham, raw ham and the cooked ham, both that which had been and that which had not been exposed to sewer air, of a species of bacillus, with sporules of the same, was demonstrated. The bacilli threads and sporules were in connection with the muscular fiber and in the intermuscular tissue. * * * 5th. In the kidney of W. W. there were discovered evidences of parenchymatous inflammation, and the apparent articles and capillaries of the Malpighian corpuscules were plugged with emboli formed of masses of bacilli.

In these observations and experiments we have a clew to the solution of the difficulty which the ordinary methods failed to furnish. In two hams, taken indiscriminately out of the same consignment, there was found a *living parasitic thing*, capable of spreading by its growth and reproduction through the material in which it was found, and *capable of producing disease in animals into whose systems it was introduced, capable also of growth and reproduction within the system of these animals.* Taking into consideration the fact that a number of persons who ate of ham of the same consignment suffered from disease induced by such eating, and the further fact that in the kidney of one of them large numbers of bacilli (similar to those found in the hams experimented with) were found, it appears reasonable to infer that some of the hams of that consignment were similarly affected with the parasite, and that *either the parasite itself or some virus essentially associated with it was the active agent in the production of the diseased condition* observed in the human subjects of the epidemic.

A few days ago a case of supposed pork poisoning occurred in this town. In this case the pork used was said to have been from pigs brought from Ireland. In this case one man had died and his wife had suffered, but recovered. Their children, who did not eat of the pork, escaped. It is also said that 14 other persons suffered more or less after eating of the same lot of pork.

These cases were examined by Dr. Seaton, medical officer of health, of this place. There was a post-mortem examination in the presence of Dr. Ballard, and parts of the body and blood of the victim were taken to London for examination by Dr. Klein. The results seem to be that about the same conditions were found as in the Welbeck cases. The same bacilli were found as in those cases.

Only yesterday I saw in the newspapers mention of a case of pork poisoning in the neighboring county of Derby.

Upon the two last cases I may write you again.

I am, etc.,

JASPER SMITH,
United States Consular Agent.

[Inclosure in No. 87.—From the British Medical Journal.]

Pork poisoning at Welbeck.—Description of a new infective organism in hams.

An official report by Dr. Ballard, medical inspector of the local government board, on the remarkable outbreak of diarrhœal illness that occurred among the persons attending the sale at Welbeck Abbey, in June of last year, has just been issued by the local government board. It proves to be a document of singular interest and importance, full of suggestions for future observers It may be remembered that, at the death of the late Duke of Portland, there was an extensive sale of timber and ma-

chinery on his Welbeck estate. Partly for business, and partly to see a remarkable place, people from all parts of Nottinghamshire, and from Yorkshire, Lincolnshire, and Derbyshire, as well as from Bedfordshire, and probably even more distant localities, flocked to Welbeck in such numbers that, on two days, it was estimated that from fifteen hundred to two thousand persons were present. For the accommodation of the visitors, refreshments were provided on the spot, and many persons partook of them. Of these who thus partook, a large number, residing over a very wide area, were subsequently taken ill, some slightly and some severely, and two of those attacked died. Some fragments of the food supplied at the sale were, moreover, taken away and distributed to five poor families; and members of these who had not been at the sale were similarly attacked by illness, and two of them died. This in itself was tolerably strong proof that the outbreak was due to some article of food; and Dr. Ballard, by an exhaustive process of exclusion of other things reduces this proof to a logical certainty, and shows that the disease must have been caused, in some way or other, by the ham consumed at the sale.

The number of persons attacked was ascertained to have been at least seventy-two, and there were assurances of similar illnesses having occurred in a considerable number of other persons who had taken refreshments at the sale—so that it is certain that these seventy-two were by no means all that suffered. Only seven of this number were females; the explanation being that the women who journeyed to the sale went for pleasure (usually in parties of several together), and in many instances took their own refreshments with them. The solid refreshments sold at Welbeck were mostly eaten by the men. All the seventy-two persons had partaken either of a meat luncheon or of sandwiches; forty-two of them had eaten luncheon, and thirty had eaten sandwiches—mostly only one sandwich. Of twenty-two persons who had not suffered after the refreshments, eleven had eaten luncheon and eleven only sandwiches. From these circumstances, especially taken in conjunction with the fact that, on the whole, the number of persons who merely took a sandwich was far larger than the number who took lunch, the inference may be drawn that a larger (probably much larger) proportion of those who ate largely of the provisions suffered subsequently than of those who ate sparingly.

The symptoms of the illness were sufficiently remarkable to merit particular notice. Dr. Ballard speaks of the attacks under the name of "diarrhœal illness," because diarrhœa was the most constant of all the symptoms observed, and the other symptoms were in some respects so peculiar that he was indisposed to give to the disease any name otherwise generally recognized. As might have been anticipated, there were varieties in severalty among the cases investigated; and symptoms strongly marked in some were slightly marked or altogether wanting in others. A period of incubation, usually from twelve to thirty-six hours, preceded the illness. In many cases the first definite symptoms occurred suddenly and unexpectedly; but, in some cases, there were observed during the incubation more or less feeling of languor and ill health, loss of appetite, nausea, or fugitive griping pains in the belly. However the attack might have commenced, it was usually not long before pain in the abdomen, diarrhœa, and vomiting came on, diarrhœa being of more certain occurrence than vomiting. The pain was usually very severe, quickly producing prostration or faintness, with cold sweats. The diarrhœal discharges were, in some cases, quite unrestrainable, and were said to have been exceedingly offensive, and usually of a dark color. Muscular weakness was an early and very remarkable symptom in nearly all cases. Headache, sometimes severe, was a common and early symptom; and in most cases there was thirst, often intense and most distressing. The tongue was described usually as thickly coated with a brown velvety fur, but red at the tip and edges. In the early stage the skin was often cold to the touch; but afterwards some fever set in, the temperature rising in some cases to 101°, 103°, and 104°. The pulse in the height of the illness became quick, counting in some cases 100 to 128. In fatal cases, death was preceded by a collapse like that of cholera, and the debility of convalescence was, in nearly all cases, protracted to several weeks.

The facts adduced by the inquiry all tended to show that it was the ham consumed at the sale that had caused the mischief. Both the appearance and the flavor of the ham were a good deal complained of by those who partook of it. But as to the exact manner of its becoming invested with injurious qualities, no direct evidence was procurable. Dr. Ballard, therefore, set about a number of experiments, which had a very remarkable and unlooked-for result. He obtained the residue of a ham that had been used at the sale, and suspended half of this in the partially open manhole of a sewer on the Welbeck premises, that had been suspected of causing the mischief. This, with the other half and part of an uncooked ham from the same consignment, a piece of the kidney of one of the fatal cases, and some other matters, were sent to Dr. Klein for microscopical examination and experiment. The results of these investigations were to establish the absence of trichinæ in the ham, which had been suspected by some of the medical attendants of the cases; but to demonstrate the presence in all three portions of ham—the raw ham and the cooked ham, both that which had been

and that which had not been exposed to sewer air—of a species of bacillus, with sporules of the same; the bacillus-threads and sporules being in connection with the muscular fiber and in the intermuscular tissue. Bacillus material from the raw ham and from that portion of the cooked ham which had not been exposed to the sewer air was successfully cultivated in the incubator. Experiments upon animals, by feeding or inoculation, were made both with material from the hams and with the cultivated material. Those made with the portion of ham exposed to the sewer air produced only negative results; but those made with the raw ham, and with the portion of cooked ham not so exposed, produced in all but a few instances positive and remarkable results, viz., disease in the animals experimented on. The morbid condition produced in the animals, and found on *post-mortem* examination, was most uniformly pneumonia (in one instance, with pleuritis) or pulmonary hyperæmia. In the case of two dogs fed and inoculated with the cooked ham, and killed on the eighth day, evidence was found after death of severe desquamative hyperæmia or inflammation of the stomach and intestines, the contents of which contained bacilli and a few pus-corpuscles. In the kidney of one of the persons who had died of the disease were discovered evidences of parenchymatous inflammation; and the afferent arterioles and capillaries of the Malpighian corpuscles were found plugged with emboli formed of masses of bacilli.

In these observations and experiments Dr. Ballard finds a clew to the origin of the outbreak, which the ordinary methods of inquiry failed to furnish. In two hams taken indiscriminately out of the same consignment, there was found a living parasitic body, capable of spreading by its growth and reproduction through the material in which it was found, and capable of producing disease in animals into whose system it was introduced; capable also of growth and reproduction within the system of these animals. Taking into consideration the fact that a number of persons who ate of ham of the same consignment suffered from disease induced by such eating, and the further fact that in the kidney of one of them large numbers of bacilli (similar to those found in the hams experimented with) were found, it appears reasonable to infer that some of the hams of that consignment were similarly affected with the parasite; and that either the parasite itself, or some virus essentially associated with it, was the active agent in the production of the diseased condition observed in the human subjects of the epidemic, and in the animals which were experimented on by Dr. Klein. Dr. Ballard accounts for the powerlessness of the ham exposed to sewer air to produce specific injury to animals by the hypothesis of Dr. Klein (which is in harmony with the view that assigns to the bacilli an essential share in the production of the disease), that the progress of common decomposition may have destroyed the specifically harmful quality of the meat, without altering the microscopic characters of the bacilli. These questions of re-infection and of ultimate destruction of infection during one and another stage of decomposition are, as Dr. Ballard correctly observes, of the greatest interest in zymotic pathology; and the occurrences at Welbeck, as interpreted in his report, shed a flood of new and important light upon a subject as to which there is evidently very much more to be learned.

No. 113.

Sir Edward Thornton to Mr. Blaine.

WASHINGTON, *March* 10, 1881. (Received March 10.)

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date upon the subject of the report made by the acting British consul at Philadelphia concerning hog cholera. As there still seems to be a misunderstanding, I am obliged to repeat that the report in question referred to Illinois and not Ohio.

As soon as I heard of the alleged incorrectness of the statement made by Mr. Crump, I directed Her Majesty's consul at Philadelphia to inquire into the matter and to inform me upon what authority the assertion was made that 700,000 hogs had died in Illinois during the year 1880.

Captain Clipperton replied, first by telegraph and then by post, that the report was made on good authority from Chicago. I was not satisfied with this explanation, and called for further details. I have now the honor to inclose copy of a letter which I have just received from Captain Clipperton.

In the mean time I have had access to a pamphlet entitled "Illinois crops for 1880," published by the Illinois department of agriculture, from which it appears that the loss of hogs by disease in Illinois during 1880 was 227,259. It is evident, therefore, that Mr. Crump's report of the loss was greatly exaggerated, though, in view of the loss above mentioned, it can hardly be said that it is wholly without foundation.

I received on Saturday night the resolution of the Cincinnati Chamber of Commerce, of which a copy was inclosed in your note of yesterday. On Sunday morning I dispatched a telegram to Earl Granville, informing him that the Cincinnati Chamber of Commerce had denied Mr. Crump's report of December last, and declared that the hogs of the whole West have been, during last year, singularly free from disease of all kinds.

I have, etc.,

EDW'D THORNTON.

[Inclosure.]

Mr. Clipperton to Sir Edward Thornton.

BRITISH CONSULATE,
Philadelphia, March 9, 1881.

SIR: I have the honor to acknowledge the receipt of your dispatch No. 7, of the 8th instant, and with reference to your dispatch No. 6, of the 6th instant, relating to Mr. Crump's sanitary report to Her Majesty's principal secretary of state for foreign affairs for the month of December last, and in reply to inform you that the report of about 700,000 hogs having died in the State of Illinois in the year 1880 was sent to him by the vice-consul stationed at Chicago.

Upon further inquiry upon this subject, I learn that the reports furnished the public are more or less of an estimated character, and should be accepted in that light.

The report of the agricultural department of the State of Illinois for 1878, vol. 16, pp. 377 and 378, under the head of "hog cholera," the number of hogs in the State is assessed at 3,334,920, and the losses by diseases at 474,758 head, or 14 per cent. of the whole stock, and the pecuniary loss laid down at $1,438,589. Vol. 17, p. 383, of the same publication, quotes the number of hogs and pigs which died of cholera from May 1, 1878, to May 1, 1879, to have amounted to the enormous figure of 1,391,422. In one county alone (Warren) 59,544 head died. At pp. 544, 545, the mortality to the 1st of May, 1880, is placed at 182,577. There appears to be no later published reports, at least I have not been able to procure any.

When it is taken into consideration that hundreds of thousands of young pigs are littered after the taking of the census in April, amongst which there must necessarily be more or less mortality from swine disease, and that the figures are so very large (1,391,422 for the previous year), it is not improbable that the number quoted for 1880, viz, 700,000, is very little, if any, in excess of the actual mortality.

I beg to call your attention to the remarks of the Commissioner of Agriculture in his report for 1878 (p. 24), which are as follows:

"For less than half the territory of the United States, they show annual losses amounting to $10,091,483 in swine.

"These figures indicate that the loss of farm animals throughout the United States annually aggregate the sum of $30,000,000 or more. As at least two-thirds of this amount seem to be sustained in the loss of the swine from affections which appear to be but little understood by the farmer and stock-raiser, I regarded the subject of sufficient importance to call for an appropriation," etc. "In addition to the saving of so vast an amount of property, the health of our people demands the completion of this work, as it is a noteworthy but lamentable fact that many herds of hogs are shipped to the nearest market, or are slaughtered by the owners for marketable purposes, as soon as the disease makes its appearance among them."

I have, etc.,

R. C. CLIPPERTON.

No. 114.

Mr. Canisius to Mr. Hay.

[Extract.]

No. 61.] CONSULATE OF THE UNITED STATES,
Bristol, March 14, 1881. (Received March 26.)

SIR: * * * The British public are already sufficiently acquainted with the mistaken report of their vice-consul at Philadelphia regarding hog cholera in America, and as the matter has also been up in Parliament, they understand very well that the bacon shipped from America to this country is as sound as their own. The steps taken by the Secretary of State to counteract the erroneous report of the British consul have been published in all the English papers, so that no falling off in the export of pork to Great Britain need be feared.

* * * * * * *

I am, etc.,

T. CANISIUS,
United States Consul.

No. 115.

Mr. Blaine to Mr. Lowell.

[Telegram.]

LOWELL, *Minister, London.*

WASHINGTON, *March* 16, 1881.

Have just sent full dispatch to Noyes respecting unfounded and injurious rumors touching our pork product. Noyes will send copy to you. Make most diligent effort to contradict rumors, and counteract evil effect.

BLAINE.

No. 116.

Mr. Blaine to Mr. Lowell.

No. 130.] DEPARTMENT OF STATE,
Washington, March 17, 1881.

SIR: On the 7th instant, my predecessor sent you a telegram as follows:

LOWELL, *Minister, London:*

Published statements of mortality among swine are false.

EVARTS.

The occasion of this denial was the publication, in the London Times of the 19th ultimo, of an extract from a report made on the 21st of December last, by Mr. Crump, then acting British consul at Philadelphia. In this report, after stating that "immense mortality" prevailed among swine by a disease known as "hog cholera," of which about 700,000

head had died this year (1880) in Illinois, Mr. Crump proceeded to refer to the alleged occurrence of several cases of trichinosis, as though the two disorders were correlated, and narrated certain horrible instances of the latter, ending by announcing the possibility of communicating trichinæ to the human body by adulterations of butter and cheese, with fatty products supposed "to be taken from places where hogs die of diseases."

It is not surprising that such extraordinary statements, directed *en bloc* against these great classes of American exports, should have occasioned wide-spread alarm among consumers in Great Britain and seriously deranged trade therein. So sudden and disastrous, in fact, was the check given to this great and steadily increasing commerce that, as a matter of national importance, this Government was moved to a searching investigation of the grounds on which the publication was based, and correspondence has been accordingly had with the British legation in Washington, and with the boards of trade of the pork producing, packing, and shipping centers.

The most positive official assurances reach this Department from all quarters, comprising the extensive swine growing regions of the West—Illinois, Ohio, and Indiana—that the mortality, even among very young pigs, has been less in 1879 and 1880 than for preceding years, and that the health of full-grown hogs (which are alone packed as pork) has never been better than during the past year. The British minister frankly admits that the statements of Mr. Crump, the acting consul, are exaggerated. The wide publicity given here by the press to all these denials has tended to allay the domestic excitement.

It is, however, to be feared that Mr. Crump's report may have taken such hold on popular prejudice abroad as to make it difficult to neutralize its bad effects; merely general denial, or counterstatement of facts, rarely suffices to undo a false statement.

In view of all the facts accessible to it, this Department can but reach the conviction that the good faith of Mr. Crump has been imposed upon, and that he has been unwittingly made the tool of designing speculators, to the great injury of legitimate trade. This conviction is strengthened by an analysis of his statements, as well as by a published report of an interview had on the 7th instant by a committee of the New York Produce Exchange with the British consul and vice-consul at Philadelphia, a copy of which report is inclosed herewith for your information. The admissions made by Mr. Crump that he was aware when he wrote his report that the mortality among swine in 1880 was not greater than in 1879, and the singular phraseology of his statements by which the general reader would be led to infer that the so-called "hog cholera" is communicable to human beings as trichinosis by eating the products of diseased animals, are points worthy of notice. No scientist need be informed that "hog cholera" or "hog fever," as the disease is indifferently styled, is a contagious catarrhal pneumonia, analogous to pleuro-pneumonia among neat-cattle, and entirely distinct from trichinosis, which is due to the development in the muscular tissue of minute parasites, but to the popular mind the distinction is far from evident. Had it been Mr. Crump's specific purpose to cause a panic among the British consumers by misrepresenting and associating isolated statements he could hardly have framed his report more appropriately. And when to all this is added the consideration that the report does not come from the pork raising and packing centers, where it is the facile duty of the British consular officers to acquaint themselves with all the facts bear-

ing on this great branch of international commerce, but from a sea-port through which but a small part of the packed product passes, the *ex parte* and untrustworthy (if not designedly interested) character of Mr. Crump's representation becomes the more apparent.

To illustrate a point, this Government would hardly look to its consular officers at Southampton or Cardiff for data respecting commercial transactions at Sheffield or Birmingham, or to its consul at Havre for knowledge of wine adulterations in the wine districts of Bordeaux or Burgundy, and, if received, such reports would most probably be made the occasion of investigation in the competent quarters rather than be given to the public without verification.

It does not appear that any attempt was made by Her Majesty's Government to ascertain the trustworthiness of Mr. Crump's report before publishing it in the Blue Book, from which the extract in the Times is taken. Had the consular officers in the hog-raising districts of the West been appealed to, it is entirely improbable that they would have indorsed the prejudiced, incoherent, and sensational declarations of their seaboard associate.

The correspondence had with the British minister here, of which copies are inclosed,* shows how confidently this Government has looked to him for denial of the injurious rumor, and his frank response justifies that confidence. In like manner we look confidently to Her Majesty's Government to aid in establishing the truth of the matter.

This instruction is sent to you to furnish you with material for an intelligent discussion of the subject with Earl Granville, in case the persistence of popular clamor and general distrust in England by reason of Mr. Crump's ill-judged report, notwithstanding Sir Edward Thornton's admission of its exaggeration, should make it necessary to look to Her Majesty's Government to give to the denial publicity and equal authority with the publication itself. The injury having been done, no steps should be omitted to undo it. Nor is the harm which has been wrought confined to Great Britain. The report has doubtless spread to the continent, and added to the prejudice already created there probably by the same agencies which inspired Mr. Crump's announcement. The action of the British Government in condemnation of it will influence the feeling in Europe. To this end the contradiction can not be too positive.

The extent to which you will make use of this instruction is necessarily left largely to your judgment, although it is not thought needful to communicate it in copy. I have not thought it desirable to acquaint you with the many statements in the American press, apparently trustworthy and well informed, which have lately appeared in contradiction of the report, such as the assertion that the Philadelphia consulate has for months past been deluged with anonymous communications injurious to pork-packing interests; and that the British consuls in the Western cities have telegraphed to the legation here and to the Philadelphia consulate correcting Mr. Crump's misstatements. The American journals are accessible to you, and you can draw your own inferences therefrom. The positive information I possess is sufficient for the purposes of this instruction, and due remonstrance and denial on your part. You are conceived to be in a position to aid in exposing the untrustworthiness and seeming malevolence of the report of which Mr. Crump has unhappily been the medium.

In view of the prohibitory action of the French Government toward

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* For inclosures see correspondence with the British legation.

importations of American produce, I have suitably instructed Mr. Noyes, to whom you may directly communicate any pertinent facts coming to your knowledge.

I am, &c.,

JAMES G. BLAINE.

No. 117.

Mr. Jones to Mr. Hay.

[Extract.]

No. 283.] UNITED STATES CONSULATE,

Newcastle-upon-Tyne, March 18, 1881. (Received April 1.)

SIR: I have to state that the American bacon trade has been much injured in this district by the circulation of reports that parasites were discovered in the meat on the continent, and the French ports were closed against it.

* * * * * * *

I have, &c.,

EVAN B. JONES, *Consul.*

No. 118.

Sir Edward Thornton to Mr. Blaine.

WASHINGTON, *March* 21, 1881. (Received March 21.)

SIR: With reference to my note of the 10th instant, relating to the report made by the acting British consul at Philadelphia, in December last, I have the honor to inform you that as the statement that 700,000 head of swine had died in Illinois of cholera during the year 1880 had been transmitted by the British vice-consul at Chicago, I instructed Her Majesty's consul at Philadelphia to request that vice-consul to furnish the data and authority upon which he had founded the statement in question.

I have now the honor to transmit herewith copy of a letter and an accompanying memorandum sent by Mr. Warrack to Captain Clipperton showing upon what authority the former made the statement which has given rise to so much bitter and even unjust comment.

You are doubtless aware that Her Majesty's consular officers are in possession of peremptory instructions from Her Majesty's Government to make periodical reports of the sanitary condition of the domestic animals in this country, so many of which are now contributing towards the supply of food to the inhabitants of Her Majesty's dominions. In performing this duty they naturally endeavor to obtain the most correct data, and I know not where they are so much justified in looking for them as in the statistics collected by the authorities, whether of individual States or of the United States. In this instance Mr. Warrack appeals to statistics collected and furnished to the agricultural department of Illinois by the assessors of that State, and he shows that the statement, which has been the subject of so much complaint, is borne out by the figures given by the assessors. It is admitted by the agricultural department of Illinois that the loss of hogs by disease in that

State was greater in 1880 than in 1879. The assessors declare that the number of pigs and hogs which died of cholera in 1879 was 676,738. It is therefore probable that Mr. Warrack, in stating that 700,000 had died in 1880, was rather under than over the mark.

It may be that the returns made by the assessors were incorrect, and they are certainly not in accord with those published by the agricultural department of Illinois; but no blame can certainly attach to Mr. Warrack for giving credit to the statements of such officials as the assessors of Illinois.

I have at the same time the honor to invite your attention to the Report of the United States Commissioner of Agriculture for 1879, page 24, where, in speaking of hog cholera, it is stated that—

> Careful returns from correspondents of the department show those losses to be at present from $15,000,000 to $20,000,000 annually.

It is added that it is not unusual to receive intelligence from some of the large hog-growing localities in the West that the losses in single counties will reach the large sum of $50,000 to $80,000, and in some instances as high as $150,000, in one season, through the devastating operations of this disease.

I have, etc.,

EDW'D THORNTON.

No. 119.

Mr. Lowell to Mr. Blaine.

No. 163.] LEGATION OF THE UNITED STATES,
London, April 13, 1881. (Received April 26.)

SIR: Referring to your instruction No. 130, of the 17th ultimo, in relation to the report made by Mr. Crump, acting British consul in Philadelphia, concerning swine disease in the United States, and to my dispatch No. 161, of the 9th instant, I have now the honor to inclose herewith a copy of a note just received from Lord Granville, in reply to mine of the 1st instant. It will be seen from Lord Granville's note that the British Government, while expressing a readiness to receive any trustworthy evidence of the non-existence of hog disease in pork exported from the United States, consider the statements of Mr. Crump to have been justified. Lord Granville incloses a copy of a memorandum furnished to the British minister at Washington by Mr. Warrack, the British vice-consul at Chicago, showing the official sources from which he derived the statistical information which he supplied to Mr. Crump. I inclose also a copy of this memorandum.

I have, etc.,

J. R. LOWELL.

[Inclosure 1 in No. 163.]

Lord Granville to Mr. Lowell.

FOREIGN OFFICE, *April* 8, 1881.

SIR: I have the honor to acknowledge the receipt of your note dated the 1st instant, containing representations on the part of the United States Government in regard to the reports which have reached Her Majesty's Government, through the British consul at Philadelphia, respecting the alleged prevalence of disease in swine, the meat of which is, in various forms, largely exported from America to Europe, and

especially, as it is understood, to this country. It is needless for me, sir, to assure you that Her Majesty's Government will be happy to receive any trustworthy evidence of the non-existence of hog cholera or trichinosis in the pork exported from the United States, seeing that the stoppage of such an important article of consumption can not fail to occasion much inconvenience in this country.

With respect, however, to the strictures which appear to be conveyed in your note regarding the trustworthy character of the information on this subject supplied to Her Majesty's Government, I would beg to draw attention to the inclosed copy of a memorandum which has been furnished to Her Majesty's minister at Washington by Mr. Warrack, the British vice-consul at Chicago, showing the official sources from which he derived the statistical information furnished by him to Mr. Acting Consul Crump, the accuracy of whose reports on swine disease is now called in question. I feel bound, on behalf of Her Majesty's Government, to observe that they are not as yet in possession of any intelligence calculated to throw a doubt on the prevalence of these diseases in the United States. They, moreover, can not but think that a reference to the official statistics above alluded to will tend to disabuse the mind of the United States Government of the idea that Mr. Crump has been imposed upon by designing speculators, and will place them in a position to withdraw the very serious insinuation contained in your note against the good faith of that gentleman, a charge the grounds for which Her Majesty's Government must confess they are at a loss to understand.

Her Majesty's Government, however, can only wish to arrive at the true facts of the case, and to find that the public confidence in the wholesomeness of American pork may be safely re-established; and I accordingly beg to inform you that they will take an early opportunity of laying before Parliament the correspondence on the subject, in which they will be happy to include any authentic information with which the United States Government may favor them.

I have the honor to be, &c.,

GRANVILLE.

[Inclosure 2 in No. 163.]

(MEMORANDUM.)

Illinois agricultural department's circular 70, dated August 20, 1880, and the latest available at the date of my letter of December 18, 1880, states the number of hogs and pigs which died of cholera as follows: 1877, 1,445,268; 1878, 1,391,422; 1879, 676,738.

These are the "figures" returned by "assessors." Years 1878 and 1879 are verified by showing in detail the loss in each county. *Vide* for 1878, page 383 of the seventeenth volume Transactions of Department of Agriculture, Illinois; and for 1879 see page 107 of circular 70. For the year 1878 thirteen counties do not appear to have reported, and there are three missing in 1879. The number of hogs assessed per reports of assessors (see page 50 of circular 70) are, in 1879, 2,799,051; 1880, 3,133,557.

At this date, August 20, 1880, the percentage of deaths of the assessed hogs in 1880 had not been ascertained, but in circular 72, of December 31, 1880, it is given 6 per cent. in 1879, 7 per cent. in 1880, and on page 80 of circular 72 the following figures appear:

Year.	Number of hogs assessed.	Per cent. died.	Number died.	Average weight.	Value.
				Pounds.	
1877	2,961,366	12	358,844	104	$1,853,415
1878	3,334,920	4	474,758	108	1,438,589
1879	2,799,051	6	182,577	98	588,487
1880	3,133,557	7	227,259	104	937,293

This shows an increase of 12 per cent., in the number of assessed hogs, and a further increase, viz, 1 per cent., in the rate per cent. of those which died.

That there were more swine in Illinois in 1880 than in 1879 is corroborated by the following statistics taken for the regular "Board of Trade" circular, issued daily, from the best and most trustworthy sources accessible to the publishers:

	1880.	1879.
Receipt of hogs at Chicago for ten months to November 1*	5,222,495	4,888,309
Shipments same period	1,285,993	1,509,840
Number packed, including city consumption, from January 1 to November 1, 1880	3,936,502	3,278,469
Number packed from November 1, 1880, to December 17, 1880, the date of my advice being December 18	1,505,050	1,300,000
Total	5,441,502	4,578,469

* These are not all Illinois swine, but come also from adjoining States.

Increase of hogs killed in Chicago from January 1 to December 17, 1880, 863,033, or 19 per cent.

The increase in number assessed, as reported by the State assessors, being the difference between 2,799,051 for 1879, and 3,133,557, is 334,506, or 12 per cent.

It will be observed that the figures dealt with by the parties interested in attacking the accuracy of Mr. Crump's report are the deaths of the *assessed* hogs, and they do not appear in any of the numerous published communications to refer to the figures as given by the only authorized State assessors of Illinois and published in the Illinois report of the deaths of the total so-called "hog crop" of the State.

Something has been said by the parties who ignore the *total* deaths to show that the light weights of the *assessed* hogs, say an average of 108 pounds in 1878, 98 pounds in 1879, and 104 pounds in 1880, prove these to have been among young "shoats" and pigs, but turning to the reports of the assessors as detailed on page 81 of circular No. 70, dated August 20, 1880, we find that the gross weights of the "hogs and pigs which died of cholera," and the number in the following years, are as follows:

	1877.	1878.	1879.
Number of hogs and pigs died of cholera	1,445,268	1,391,422	676,738
"Total gross weight of swine died of cholera"....pounds..	106,949,832	139,853,508	49,326,591
These give average weights in these years of.....do....	74	100	73

as against 108 pounds and 98 pounds, already quoted as the average weight of the swine which died in these years (1878 and 1879) out of the assessed numbers.

The figure—700,000—given by me was purposely put low, and was based mainly on the statistics as published, and also on the general information one gathers from dealers and farmers. Had the circular of December 31, 1880, been available at the time I reported, or rather, had I reported after its issue instead of before, I would have made the loss at least 750,000, perhaps 800,000. For if a loss of 182,577 accrues in 1879 from a 6 per cent. rate on 2,799,051 assessed swine, and the total loss in the same year is 676,738, then it is clear that if the death-rate in 1880 is 7 per cent., and the deaths of assessed hogs 227,259 out of 3,133,557, the total deaths for 1880 of all the swine raised in the State will be about 842,000.

J. WARRACK.

CHICAGO, *March* 16, 1881.

No. 120.

Mr. Blaine to Mr. Lowell.

No. 180.] DEPARTMENT OF STATE,
Washington, June 10, 1881.

SIR: I have postponed a reply to your dispatch No. 163, of the 13th of April last, on the subject of the reported prevalence of swine disease in the United States, until the result of the searching investigation

which was instituted upon the publication of the statements made by Mr. Crump, acting British consul at Philadelphia, should place me in a position to either accept those statements as correct and well founded, or to supply that authentic information in controversion thereof which Earl Granville's note of the 8th of April intimates a disposition to receive.

I transmit herewith copies of the exhaustive report made by the officer of this Department who was ordered to visit the great swine producing and packing centers of the West for that purpose. It does not seem possible to add by mere argument any weight to this cogent exposition of the facts in relation to the pork exports of the United States. This report is confidently laid before Her Majesty's Government as affording convincing proof that the rumors which have obtained such wide credence in Great Britain and on the Continent with regard to this great branch of the foreign trade of the United States were exaggerated and misleading.

I regret to observe that Earl Granville, in his note to you of the 8th of April, treats the representations which my No. 130 of March 17th had directed you to make touching the published statements of Mr. Crump as a "very serious insinuation against the good faith of that gentleman."

I beg that you will endeavor to dispel this unpleasant impression from his lordship's mind. Had this Government seriously doubted the personal good faith of Mr. Crump in the premises, it would have lost no time in protecting itself, in accordance with the usages of international intercourse, by the suspension or revocation of its recognition of Mr. Crump's official character as an authorized subordinate consular officer of Her Majesty's service.

It believed then, and still believes, that the insidious operations of designing men, through the widely-spread channels of anonymous communications, marked newspaper extracts, and other means of facile application, which for a time deluged the executive departments of this Government, had produced their natural effect on Mr. Crump's mind, and that his statement unconsciously reflected these misleading reports rather than the official data within his reach. My impression in this regard is fortified by the circumstance that neither in the memorandum of Mr. Warrack, the British vice-consul at Chicago, to which his lordship refers in justification of the accuracy of Mr. Crump's statement, nor in the numerous publications of an authoritative character made by the National and State officers and then accessible to him, is there the slightest warrant for the alarming association which Mr. Crump made between the alleged mortality from the so-called "hog cholera" and the dissemination of the dreaded *trichina spiralis*. It was this startling and unscientific connection of totally different premises which made Mr. Crump's report so productive of injury, as my instructions of March 17 to you endeavored to show. As it is, however, I am prepared to cheerfully admit that the very wildness and lack of scientific knowledge shown in this correlation of isolated data is in itself presumptive proof of the honesty and good faith of Mr. Crump. On the other hand, it must be admitted that there is ample room to doubt the good faith of the sources of information on which he seems to have relied.

I have given to this branch of the subject more attention than it would otherwise have had, in view of the prominence which Earl Granville assigns to the question of Mr. Crump's good fath as bearing on the merits of the case, and I trust that the frankness of my statements will commend them to his lordship's judgment as counteracting the impres-

sion he seems to have formed. This Government has no disposition to meet a great international question, involving vast material interests, and affecting the natural course of trade between the two nations, by impugning the personal character for veracity of an officer who has enjoyed since 1864, and still so signally enjoys, the confidence of Her Majesty's Government.

The question lies much deeper. International good faith throws upon governments the gravest responsibility in all that affects public health. Had the result of this candid and searching investigation been such as to show that one of our great national industries was the means of disseminating disease and horrible death abroad, as well as at home, no admission could have been too prompt, and no repressive measures too imperative, to undo and check the evil. And to the same international good faith we now appeal in submitting to Her Majesty's Government the proofs set forth in the accompanying report, assured that the matter will be dealt with in that wise and just spirit so confidently to be expected from the British Government.

Your own good judgment will counsel you as to the proper manner of bringing to Earl Granville's knowledge the views herein expressed, and of giving proper publicity to the inclosed report in Great Britain.

I am, etc.,

JAMES G. BLAINE.

NETHERLANDS.

No. 121.

Mr. Eckstein to Mr. Hay.

No. 140.] UNITED STATES CONSULATE,
Amsterdam, March 21, 1881. (Received April 2.)

SIR: I have the honor to state that I have recently read correspondence and editorials in some of the principal newspapers of this city and Rotterdam upon the subject of certain reports relating to excessive and wide-spread disease of hogs in Illinois, and of the action of the French Government in prohibiting the importation of pork from the United States.

The purport and tenor of these newspaper publications had a strong tendency to alarm the public and create a bias against the use of American pork and the hog product generally.

I have also read in the London Times a number of telegrams, on same subject, coming from New York and Philadelphia, showing that there exists in the United States considerable excitement and indignation in consequence of what are considered and claimed to be very greatly exaggerated and unjustifiable reports which have been sent abroad concerning the sanitary condition of the swine in Illinois and other Western States during the year 1880 and at present.

The telegrams referred to also speak of action taken by chambers of commerce in different cities, and by the Department of State, for the purpose of proving that the facts in the case in no way warrant the reports, and which already have greatly injured an important American interest and threaten still further to do so.

Under these circumstances I felt called upon and deemed it proper to make an effort to counteract, as far as in my power and within my limited sphere, the threatened harmful effects upon the imports of and

trade in the article here likely to be caused by the too free circulation of the reports in question.

To this end I availed myself of the opportunity offered me to confer verbally with the proper city and port authorities, and succeeded in accomplishing all I could desire or expect. They expressed themselves to me as greatly appreciating my coming to them to discuss the subject; and gave me the assurance that any and all reports concerning the same of a doubtful character will, so far as they were concerned, be subjected to scrupulous and close investigation; that no such reports will be allowed to exert upon them any undue influence, and that they will do all they can consistently do to prevent the public here from being prejudiced and the trade in the article from being injured.

I have also had an interview with the editors of the principal newspaper here, the Handelsblad, and after discussing the subject with them obtained their promise that they will hereafter frequently publish in their paper the American version, or any authentic accounts on the subject which may reach them, either in the form of telegrams to the London press or otherwise.

My object in doing this was to bring, if possible, a knowledge of the actual state of facts in the matter to those classes of the community which are the principal consumers of American pork, bacon, ham, etc., and which, as a rule, read only the Dutch papers.

My action in this matter, in the absence of any special instructions from the Department asking or authorizing it, will, I trust, be appreciated and approved.

I am, etc.,

D. ECKSTEIN,
United States Consul.

No. 122.

Mr. Eckstein to Mr. Hitt.

No. 163.] UNITED STATES CONSULATE,
Amsterdam, September 6, 1881. (Received September 22.)

SIR: I have the honor herewith to transmit a translated copy of the memorial and petition of J. B. Dievelaar & Co., of Amsterdam, to the common council of Amsterdam, relating to certain proceedings of the burgomaster and magistrates of this city consequent upon and in connection with the discovery of trichina in American pork imported by the firm above named.

The matter appeared to me of sufficient importance to deserve being promptly brought to the notice of the Department for its consideration. Dievelaar & Co., have applied to me for any such assistance as I might be able to extend to them, and to the trade here in American pork, &c., generally which they claim is being greatly injured by the late action of the burgomaster and magistrates.

I found myself, however, at a loss to see how I could assist them, but have sent several copies of the pamphlet entitled "American Pork" to the burgomaster and to the chamber of commerce, such copies having been previously sent by me to the city inspectors of meats, &c.

Should the Department deem it required to give me any instructions on the subject, they shall be promptly and vigorously carried out.

I am, &c.,

D. ECKSTEIN,
United States Consul.

[Inclosure in No. 163.—Translation.]

MEMORIAL OF MESSRS. DIEVELAAR & CO. TO THE COMMON COUNCIL OF THE CITY OF AMSTERDAM.

Willem Huender, sole member of the firm of J. B. Dievelaar & Co., of this city, with all due respect, begs to state:

That the burgomaster and magistrates have caused the following notice to be published in the *Amsterdamsche Courant* (Amsterdam Gazette) of the 7th August last, which notice has also been posted in various places in this city:

"*Trichinæ in American Pork.*—The burgomaster and magistrates of Amsterdam bring to the notice of the public in general that, according to information received by them from the inspectors for the survey of articles of food, trichinæ have been discovered in flitches of American bacon kept in store by the firm of J. B. Dievelaar & Co., of 77 Warmoesstraat.

"They consequently warn the public most urgently to observe all due caution before purchasing, offering for sale, or consuming any part of said flitches of bacon.

"The burgomaster and magistrates aforesaid:

"DE KONING, *Magistrate.*

"DE NEUFVILLE, *Secretary.*

"AMSTERDAM, *August* 6, 1881."

That the memorialist assumes that the burgomaster and magistrates had no right to address the said notice to the public; and if they had, that then the ordinance from which they derive such power requires urgently to be amended.

That the memorialist was acting in perfect good faith, and his acts by no means necessitated the issue of the said notice.

That on the 4th of August, 1881, he, the said memorialist, caused 100 boxes of American bacon, each containing on an average 8 flitches, and purchased on a certificate of good quality from one of the principal and most responsible firms in America, to be warehoused in his store.

That when, on the 5th of August, 1881, a surveyor demanded admittance to the memorialist's store in order to examine the said bacon, he was at once admitted; that the box the bacon was taken from was sealed up by said surveyor, and that on the following day, the 6th of August, the flitch in which trichinæ had been found was removed by the surveyors and debarred from being sold.

That there were, therefore, really no grounds for issuing the said notice, which, moreover, contained an erroneous statement, trichinæ having been found in only *one* flitch on the 6th August; and that the burgomaster and magistrates have thereby quite unnecessarily done great injury to the honor and good repute of the memorialist, and directly as well as indirectly caused him to sustain considerable loss, for that the entire lot of 100 boxes, as well as the other bacon on hand in the store of the memorialist, have lost considerably in value.

That, moreover, the memorialist may well be permitted to remark that since 1871 he has imported very great quantities of American bacon into this country without its ever having appeared that the same was not of good quality; that he invariably purchases from first-class American firms, and always on certificates of good quality.

That in the case of the memorialist the burgomaster and magistrates have gone much too far, and that an honest merchant of irreproachable name and repute ought not to be exposed in such a way, or to be injured and hampered in his business in such a manner, by the burgomaster and magistrates.

That the memorialist begs at the same time to call the attention of your assembly to the mode of conducting the examination itself. That the said examination was begun on the 5th August, and that on the 30th August the board of surveyors had as yet examined only 16 boxes, or 128 flitches, in 5 of which trichinæ were found. That at this rate it will take more than *five* months to submit the memorialist's 100 boxes to an examination. That under such a system the trade in American bacon at this city is rendered impracticable. That the memorialist is prevented from carrying out the sales effected by him of the brand in question, without being exonerated from his obligation to deliver the same to the purchasers, and without being enabled to profit by a rising market. That in the course of the said four months both home-cured and new American winter bacon will be brought to market, causing a reduction in the value of consignments of an earlier date. That in this case only 100 boxes are concerned, but that American bacon, of which the memorialist is one of the greatest importers, is brought to this port by thousands of boxes.

That in the interest of trade the present system of survey, therefore, requires to be amended, as it can not be your intention to render the trade in American bacon, an article which supplies a want that is generally felt, an absolute impossibility.

That these are the reasons which induce the memorialist to apply to you, and to request that it may please your board to call upon the burgomaster and magistrates in the future—

1st. Only to warn the public when bacon infested with trichinæ is actually sold, or in the case of a refusal to withdraw such bacon from the trade, or, in the alternative, to amend the ordinance relating thereto in so far as may be necessary.

2d. To supplement the ordinance for inspectors and surveyors of articles of food in such manner that the time for the survey of a certain quantity be limited, so that a merchant may not be unnecessarily subjected to loss and hampered in his business.

W. HUENDER,
Firm of J. B. Dievelaar & Co.

AMSTERDAM, *September* 2, 1881.

No. 123.

Mr. Eckstein to Mr. Hitt.

No. 167.] UNITED STATES CONSULATE,
Amsterdam, September 24, 1881. (Received October 8.)

SIR: I have the honor to refer to my dispatch No. 163, of the 6th instant, and especially to the inclosure therewith transmitted, while forwarding herewith two more, viz:

1. Translated copies of memorials directed to the common council of this city by parties here interested in the import and wholesale trade of American bacon and ham, and in the carrying business.

It does not appear to me to be required that I enlarge upon the subject at this time, as the inclosure herewith, if read and considered together with the one above referred to, will fully explain it.

I am, &c.,

D. ECKSTEIN,
United States Consul.

[Inclosure in No. 167.—Translation.]

MEMORIALS OF MERCHANTS OF AMSTERDAM TO THE COMMON COUNCIL OF THAT CITY.

To the common council of the city of Amsterdam:

The undersigned, all of whom are interested in the trade with America, beg, with due respect, to state that they have taken note with great interest of the memorial addressed to your board on the 2d September, 1881, by the firm of J. B. Dievelaar & Co.

That, in the interest of commerce, they deem it their duty to express their concurrence with the observations contained in the said memorial in regard to the waste of time in the inspection of bacon, for by such means the trade in bacon, which has developed into important dimensions, will be lost, not only for this port, but also for other commercial cities, where fewer obstacles are thrown in the way of merchants, and will expel Amsterdam traders from the provinces to which the greater part of the imported American bacon is conveyed. That therefore an alteration in the mode of inspection is urgently required, and all the more so as all bacon, whether home-cured or otherwise, will for the future, in the interest of health, have to be submitted to a close inspection.

That the memorialists will not take upon themselves to decide as to how far the burgomaster and magistrates were justified in publishing the notice appearing in the Amsterdam Gazette of the 7th and 8th August last, but that in connection therewith they do not wish to withhold their declaration to the effect that the firm of J. B. Dievelaar & Co. is known to be one of the leading houses in the import and trade in bacon, and is in general esteemed for the liberal and upright way in which its business is conducted.

Holding such views, they respectfully request your board to take the memorial of the firm of J. B. Dievelaar & Co. into serious consideration, and to decide thereon in a favorable manner.

(Signed by J. T. Jansen & Zoon, P. Hegener & Toon, Bd. Essink, W. Cohen, A. J. Daniels, W. J. Gerritsz, F. C. Jaski, J. H. Grein, Plate & Boissewain, Broekman & Henny, Alborda & Plate, H. E. Serinige, H. Tenzler Herold, A. Von Gebauer, Van Breusekour & Brandts, F. A. Jacobs, K. H. Veldhüyzen, Jacob A. Abraham.)

AMSTERDAM, *September*, 1881.

To the common council of Amsterdam:

The undersigned, with due respect, beg to state that they have taken note of a memorial addressed to your board on the 2d September last by W. Huender for his firm of J. B. Dievelaar & Co., respecting the inspection of bacon.

Your memorialists are convinced that the grievances set forth in the foregoing document constitute grave difficulties in the way of the importation of bacon into this city.

That they consider it desirable that the said difficulties be removed and the existing regulations amended, the more so, as such imports will otherwise be conveyed to competing ports, and this to the detriment and loss of the trade and navigation of this city.

That they therefore join in the request of Mr. Huender, whose firm is known to be of good repute and standing, and trust that your board will remove the existing difficulties by instituting good regulations, whereby injurious merchandise may be intercepted without otherwise throwing impediments in the way of trade.

(Signed by the board of directors of the Royal Netherlands Steam Navigation Company, N. J. den Tex, W. Ramann, Schener Brothers, agents for the Hull steamers; p. p. Van Es & Van Ommeren, A. J. Boode, D. & P. Kievits, Urbel & Holtzapffel, F. van Zwieten, Gemmening & Penning, agents for the Hull, Leith, Glasgow, Bristol, and other lines of steamers; De Vries & Co., Olaardt & Breuinier.)

AMSTERDAM, *September*, 1881.

No. 124.

Mr. Eckstein to Mr. Hitt.

No. 170.] UNITED STATES CONSULATE,
Amsterdam, October 4, 1881. (Received October 19.)

SIR: Referring to my dispatches Nos. 163 and 167, the former of the 6th and the latter of the 24th ultimo, and, particularly, to the inclosures therewith transmitted, I have the honor herewith to forward the report of the burgomaster and magistrates of Amsterdam to the common council of the city, and consisting of two exact printed copies of the original, in the Dutch language, with a correct English translation annexed to them, all as one inclosure. The matter is now entirely in the hands of the common council, and it rests with them either to sustain the burgomaster and magistrates or to afford the relief prayed for by the petitioners; but there are indications, I regret to say, that in the main the former is more likely to occur.

The action of the common council will not be delayed many days, and whatever it will be shall be promptly reported.

I do not deem it necessary to further enlarge upon this subject at this time, feeling persuaded it will be fully understood from the inclosure herewith and from the inclosures above referred to.

I can not, however, forbear again to observe that the matter appears of considerable importance, and would seem to deserve the Department's attention and consideration, as, to a great extent, it involves an American interest, injury to which is impending. The imports of American bacon alone at Amsterdam in 1880 amounted to about 8,000 cases, of about 450 pounds each, or 3,600,000 pounds—at least so I am informed.

I am, etc.,

D. ECKSTEIN,
United States Consul.

[Inclosure in No. 170.—Translation.]

Report of the burgomaster and magistrates of Amsterdam to the common council of the city, dated September 21, 1881.

AMSTERDAM, *September* 21, 1881.

To the Common Council:

By a resolution of your meeting of the 6th instant, a memorial, dated the 2d September, 1881, by W. Huender, of the firm of J. B. Dievelaar & Co., complaining in the first place of the manner in which we, on receiving notice from the inspectors for the examination of articles of food, that trichina had been found in bacon at the memorialist's stores, gave publicity thereto, and secondly of the mode in which the examination of articles of food is effected in this city, was put into our hands for the purpose of pre-advising your meeting thereon. The said complaint was supported by a memorial dated the 13th September last, and addressed to your meeting by J. F. Jansen & Zoon and others.

Acting thereon, and laying before your meeting a report on said subject submitted by the inspectors for the examination of articles of food, we have the honor to make the following observations:

When we receive a communication from the said inspectors that, in some article of food at the stores of a merchant in this city, component parts have been found that render the consumption of such article of food dangerous in the highest degree, we can not rest satisfied with waiting until some portion of that article of food has been sold, but deem ourselves bound, in the interest of the public, to warn them forthwith by pointing to the danger they would incur in purchasing of *that* lot from *that* specially indicated merchant.

This was the course adopted in the present case, and we consider that it is only by this mode of proceeding that the examination can answer its purpose and justify the considerable expense to which the commune is put on its account.

The warning notice appeared in this case to be the more necessary, as the reason why the surveyors on the 5th of August last proceeded to Messrs. Dievelaar & Co.'s stores for the purpose of instituting an examination was the fact that American bacon, which proved to have been part of parcels thereof supplied by the firm of Dievelaar & Co., and which parcels had, according to their statement on said 5th of August, been then entirely sold, had already previously been retailed by other traders and found infested with trichinæ. Besides which the said notice was published after the inspectors for the examination of articles of food had applied to the burgomaster for assistance, as the memorialist had refused to give up a flitch of bacon in a sample of which trichinæ had been discovered.

Now, as regards the mode of examination, also therein the interest of the public, the interest of the consumers of articles of food is in the first place considered, although in so far as practicable with all due regard to the special interest of the dealer.

That in the present case the examination of a considerable parcel of American bacon imported by the memorialist is not effected more expeditiously is accounted for by the nature of the investigation. The search for trichinæ requires particular care, and can be intrusted only to persons practiced in microscopic investigations, and not for longer than one hour at a time, without over-fatiguing the organs of sight of the examiner. For this reason alone it would already be impossible to limit a time within which the examination should be effected.

But besides, and this in particular must not be lost sight of, it is not generally the task of the surveyors to submit *all* the articles of food that the dealers have in store to an examination, and thereby as it were to grant a certificate of good quality stamped by the local authorities. They exercise merely a police control, and ascertain whether dealers in articles of food are acting at variance with the regulations. The dealers must on their part have a care that their goods are in a sound and unhurtful condition. If they wish to have a guarantee, they are at liberty at their own expense to commit the examination of the articles of food they have in store to experts of their own, but on no pretense whatever can they claim that such examination be effected on the part of the local authorities and within a limited time.

We are very willing to believe that the memorialist, who, as he states, has bought this bacon "from one of the greatest and most responsible firms in America on a certificate of good quality," is suffering great loss, but this may not prevent us—watchful for the welfare of the public in general—from continuing to act as we have hitherto done in regard to the examination of articles of food. After what we have communicated it requires no demonstration to show that the public, however, will only then be fully guaranteed when they themselves also attend to their interests. The danger of trichinæ, particularly in the consumption of American bacon, will, even under the control of the local authorities, continue to exist, and can for the greater part be avoided only by not partaking of this article of food unless it has been well boiled or roasted.

We suggest that you inform the memorialist that his two-fold request is not of a nature that it can be granted.

The burgomaster and magistrates of Amsterdam:

VAN TIENHOVEN.

The Secretary:
DE NEUFVILLE.

ITALY.

No. 125.

Mr. Marsh to Mr. Evarts.

No. 941.] LEGATION OF THE UNITED STATES,
Rome, March 14, 1881. (Received April 2.)

SIR: I have the honor to inclose to you herewith copies of the correspondence between this legation and the consulate of the United States at Genoa, and between the legation and the ministry of foreign affairs, relating to the importation into Italy of pork from America. Having no instructions or other precise information on the subject, I have not replied to the minister's note.

I am, etc.,

GEO. P. MARSH.

[Inclosure 1 in No. 941.]

Mr. Hazelton to Mr. Marsh.

CONSULATE OF THE UNITED STATES,
Genoa, February 5, 1881.

SIR: I have the honor to forward a letter from Messrs. Granet Brown & Co., of this city, asking your influence with the Italian Government in obtaining the repeal of the law prohibiting the importation of pork into Italy. This house carries on a large trade with the United States in petroleum, and is one of the most reliable business houses in Genoa.

I think that the statements containnd in the inclosed letter are substantially correct, and that if the aforesaid law is repealed an important trade in hams and bacon will be the result. The price of meat in Genoa is very high, the common people being enable to enjoy it except on rare occasions, perhaps four or five times a year. If it can be imported without an excessive duty, it will result in a substantial benefit to the consumer as well as to the dealer.

I am, etc.,

J. F. HAZELTON, *Consul.*

[Inclosure 2 in No. 941.]

Granet Brown & Co. to Mr. Marsh.

GENOA, *February* 3, 1881.

SIR: At the request of many commercial houses in this city and in the United States of America, who, like ourselves, are interested in the trade in American bacon and hog products, we beg to submit the following facts to your notice.

About a year ago the Italian Government, on the assumption that the importation of bacon, hams, and other raw American meat was injurious to the public health, absolutely prohibited the importation of the same into this country. The consequence of this prohibition, promoted as it probably was by a few parties interested in excluding the competition of imported provisions with native produce, is, that an active and daily increasing trade with the United States has been arbitrarily suppressed without adequate grounds. to the manifest detriment of trade, to the receipts of the Italian customs, and especially to the interests of the generally consuming public.

It is unnecessary for us here to draw your excellency's attention to the character of the pleas upon which the suppression of this trade is based, confuted as they are by the statistics of the very large and in every sense healthy trade existing in American hog produce with all other European countries, nor need we appeal to the principles of fairness and reciprocal advantage to trade which we judge to be violated by this legislation. We beg, however, to inclose a memorandum, containing some statistics with reference to the matter which was distributed last year in Genoa.

Finally, we beg leave to appeal to your excellency to beg that your influence may be used to have our case presented in the proper quarter to the Italian Government in Rome, in the interest of your American compatriots, and with a view to obtaining the prompt repeal of the prohibition to trade in the said important produce of the United States

With which request we have the honor to remain, your excellency's, etc.,

GRANET BROWN & CO.

[Inclosure 3 in No. 941.]

Mr. Marsh to Señor Cairoli.

LEGATION OF THE UNITED STATES,
Rome, February 21, 1881.

YOUR EXCELLENCY: Through the consulate of the United States at Genoa I have received communications from persons at that port interested in American trade complaining of certain recent alleged custom-house or governmental regulations as greatly restricting, if not entirely abolishing, the liberty of importation of salted, smoked, or otherwise preserved pork from the United States, which has become an important branch of trade between America and the European ports.

This legation has never been officially notified of any obstruction or impediment, local or general, to this trade, and I respectfully ask, for information of my Government and of American shippers, when and by what authority, superior or administrative, the decrees in question, if such exist, were issued, whether they are absolute or conditional, whether they are limited as to time or place, or are permanent and general in their application; and whether it is thought to have been established by official investigation that any prejudicial consequences to the public health have resulted from the importation and consumption of such meats?

I avail myself of this occasion to renew to your excellency the assurance of my high consideration.

GEORGE P. MARSH.

[Inclosure 4 in No. 941.—Translation.]

The minister of foreign affairs to Mr. Marsh.

ROME, *February* 28, 1881.

Mr. MINISTER: In reply to your note of the 21st instant, I hasten to inform you that since the beginning of the year 1879, it having been ascertained that pork affected by trichina had arrived in the kingdom coming from Cincinnati and other parts of the American Union where that disease was proved to exist, the ministry of the interior prohibited, by a sanitary order dated February 20 of the same year, No. 5, the importation of swine, as well as of their flesh or any parts of their body, in whatever manner prepared or preserved, exported from the United States of America.

On finding afterwards that pork was brought into the kingdom by way of land, coming from places where trichina existed, the probibition by a succeeding order, dated May 6, 1879, No. 13, was extended to foreign pork coming from any place whatever, even by way of land.

Notwithstanding the earnest remonstrance of the trade which called for the revocation of that measure, the aforementioned ministry, after having several times taken the advice of the superior board of health for guidance in their decision, concluded that the moment for the rescinding of that prohibition would not have come until the information received was such as to mitigate the gravity of the disease.

Only last year the aforesaid board was requested to examine again the subject; but in their meeting of the 30th of June the board expressed the opinion that in the interest of the public health the prohibition should be maintained absolute and general so long as assurances were not forthcoming such as to give reason to believe that all danger of infection had ceased,

In view of this opinion emphatically expressed by the first sanitary body of the state, and no information having been received on the subject in any way satisfactory, the Government of the King could but determine—nor could it do otherwise—to enforce firmly the prohibition imposed by the order before cited until the receipt of such information as would relieve it of all responsibility in a matter of such serious importance.

In transmitting to you, herewith inclosed, a copy of the order of May 6, 1879, I avail myself of this occasion to renew to you, Mr. Minister, the assurance of my high consideration.

For the minister:

A. PEIROLERI.

Hon. GEO. P. MARSH,
Minister of the United States, Rome.

[Inclosure 5 in No. 941.—Translation.]

Decree of the Italian Government forbidding the importation of pork.

1879.—SANITARY ORDINANCE NO. 13.

The minister of the interior:

In view of the law concerning public health of the 20th March, 1865, Annex C, and the ministerial instructions of the 26th December, 1871;

In view of the ordinances of the 14th and 20th February last past, Nos. 4 and 5;

In view of the difficulty of ascertaining the original place of departure of the hogs' meat;

In view of the fact that hogs' meat coming from places where trichina exists is indirectly inported into the kingdom by land;

Decrees:

ARTICLE 1. The prohibition upon importation imposed by the above-named ordinances is henceforth extended to all foreign hogs' meat from whatever place it may come.

ART. 2. Until a new disposition, this decree will apply equally to all importations by way of land.

The prefects and customs authorities of the kingdom are charged with the execution of the present ordinance.

Dated at Rome the 6th May, 1879.

For the minister:

G. B. MORANA.

No. 126.

Mr. Blaine to Mr. Marsh.

No. 778.] DEPARTMENT OF STATE,
Washington, June 10, 1881.

SIR: I transmit herewith copies of an exhaustive report, prepared by the officer of this department who was recently detailed to make a searching and impartial investigation concerning the truth or untruth of the alarming rumors which have prevailed of late as to the alleged unhealthfulness of the American pork products shipped to foreign countries.

This investigation was forced upon this Government by the disastrous effects produced abroad by those rumors, and by the action of several European governments in stringently restricting or prohibiting the importation of swine products from this country. It was undertaken in the most impartial spirit, and with full recognition of the weighty responsibility which would rest upon this Government should the prevalent rumors be substantiated. Had it been found that this great American industry was the means of disseminating disease and death abroad, no admission could have been too frank or prompt, and no re-

pressive measures too urgent to vindicate our national good faith. As it is, the result goes beyond our most sanguine expectations in proving the baselessness of the statements which have, unhappily, wrought such injury upon one of our most widely spread and valuable branches of foreign commerce.

It is desired that you should, after acquainting yourself with the facts shown in this report, bring it earnestly to the attention of the Italian Government, adding thereto such representations as, in your own good judgment, may induce an abandonment or very material modification of the oppressive measures which have been adopted in Italy with regard to the American pork trade. You may say that the entire good faith with which the investigation has been conducted, warrants us in expecting that the Italian Government will accept and act upon the result in equal good faith. You may also profitably refer to the singular gratifying action of the Belgian Government, which, disregarding popular clamor and prejudice, and examining the question fairly upon its merits, reached some time since the conclusion to which this government is irresistibly led, that of the widely spread food-staples of the world's commerce, none is grown, packed, and exported under conditions more calculated to assure safety and wholesomeness than the pork products of America.

You will give this report the widest possible publicity. A number of copies will be sent you for this purpose, under separate cover.

I am, etc.,

JAMES G. BLAINE.

(The inclosure, a pamphlet on "American Pork," has already been widely circulated. It is reprinted as an annex to the present Report of the Secretary of State.)

SWITZERLAND.

No. 127.

Mr. Mason to Mr. Hay.

No. 27.] UNITED STATES CONSULATE,
Basle, February 26, 1881. (Received March 16.)

SIR: On the 23d of the present month, notice was given in the Federal Congress of Switzerland that a measure would be introduced to prohibit the importation of bacon, lard, hams, and pork from the United States of America to this country.

This threatened action is based, not upon any recent discovery of trichinæ or other defect or impurity in American meats or lard in Switzerland, but is stimulated and suggested by the fact that the Government of France had a short time previously passed a decree prohibiting the importation of all hog products from the United States into France. The present state of feeling with regard to this matter, in Switzerland and adjoining countries, is such as to seriously threaten an important and valuable class of American exports, and the undersigned begs leave to submit to the Department the following statement of facts.

There prevails among business men in Europe a fear that the protracted and heavy drain of gold from the Old World to the United

States may eventually result in a serious disturbance of the monetary balance between the two hemispheres. Any prohibitory enactment which may curtail the influx of American products and compel the people of European countries to purchase their supplies from home producers, is regarded as part of a wise and self-protective policy. Added to this is the fact that American hams, shoulders, side pork, etc., can be profitably imported and sold at from 10 to 20 centimes per pound cheaper than the same articles when produced in Europe. It naturally results from this that butchers, dealers in domestic meats, and farmers who raise hogs for the home market, are strongly opposed to importations from America, and lose no opportunity to make this opposition potent and effective.

The prosperity of the United States under a protective system has produced a great modification of public sentiment on that subject in Europe, and from the comments of the French, German, and Swiss newspapers it would appear that the recent action of the French Government in regard to American meats is believed to have been inspired by the motive of protection to its farmers and its gold supply, rather than by any sense of danger from the impurity of American meats.

The ostensible occasion for the agitation of this subject and the decree of interdiction by the French Government was an outbreak of trichinosis in a family which was at first supposed to have eaten American pork; but it is now officially conceded that the trouble was caused by the flesh of a newly-killed home-bred pig, which was eaten in its raw state. In some instances of recent occurrence salt pork of alleged American origin, found infested with trichinæ, has been proven to have come from Germany, where, as is well known, the trichinosis originated many years ago.

For the reasons stated, however, the prejudice against American hog products is so general and uncompromising that the undersigned, in order to correct, so far as practicable, false impressions, and thus aid in averting the threatened prohibition by the Swiss Government, has unofficially caused to be published in the journals of Basle the following facts:

I. That in the United States all hog products designed for export are carefully inspected, first at the place where the animals are slaughtered and again at the port of shipment.

II. That there is no instance on record of any person in Europe being injured in health by eating hams or pork imported in a salted condition from the United States, the only danger from trichinæ being through the eating of hogs' flesh in a fresh state, recently slaughtered and imperfectly cooked.

III. That from the 1st of November, 1880, until the 15th of January, 1881 (two and a half months), 36,351,000 pounds of lard and 137,987,500 pounds of hogs' flesh have been exported from the United States to Great Britain, where the official inspection of such imports is most rigid, and that in all this vast quantity no instance of insecurity or infection has been discovered.

IV. That almost all authenticated instances of injury to human health by trichinæ have occurred in Germany, where fresh pork is sometimes eaten uncooked, and that no such danger has been incurred from eating salted and seasoned meats.

V. That during a period of two years the principal importer of American meats in the consular district of Basle has had all such goods which were imported by him carefully inspected by an official designated for that purpose by the city government, and that at the end of that time

this inspection was voluntarily discontinued, being considered by the civil authorities no longer necessary.

VI. That the Government of Belgium (as shown by the subjoined official report, which I have had published in the principal newspaper of Basle) has formally declined to adopt the interdiction against American meats for the reason, as stated, that no just ground for such action has been discovered in Belgium.

The undersigned has further taken the liberty to call the attention of the United States legation at Berne to these facts, and, in the absence of precedents or definite instructions, will, until otherwise directed, continue his efforts to counteract, so far as may be possible by unofficial means, the prejudice now existing against American meat imports.

Although the latest unofficial report from Paris shows that the decree against American meats has awakened strong opposition, and seems likely to be soon essentially modified or wholly repealed, still the situation in the whole of Central Europe is of such a nature as to seriously threaten an important and growing class of American exports, and imperatively suggests the necessity of increased care on the part of American exporters in keeping their meats above reasonable suspicion.

In addition to this, great advantage might be derived from the publication in Europe of an official statement, made under Government authority, showing that the reports of hog cholera and trichinosis in the United States have been greatly exaggerated, and that all hog products designed for export are carefully and repeatedly inspected.

The freedom with which the most damaging reports and rumors concerning this subject are published and believed in this country seems, in my judgment, to call for an authentic protest and denial.

I am, etc.,

FRANK H. MASON, *Consul.*

[Inclosure in No. 27.—Translation from the Basler Nachrichten, February 26, 1881.]

BELGIUM HOUSE OF REPRESENTATIVES. SESSION OF FEBRUARY 22, 1881.

[Extract from the official report.]

ORDER OF THE DAY.

M. WILLEQUET. A decree of the President of the French Republic interdicts the entry of all salted meats coming from America into France. It seems to me that this decree is of such a nature as to create a great panic in the country. After exact information, I dare say that there is in Belgium no case of trichinosis; nevertheless, I find it opportune that our people may hear officially from our minister of the interior that there is no danger at present.

M. ROLIN-JACQUEMYNS, *minister of the interior*. It is not my duty to examine the governmental measures in France, but I can reassure our honorable member about the trichinosis matter in our country. For a long time our Government has examined the danger question resulting from eating conserved swine-meat. During the past twenty years the academy and the sanitary board have examined the question, but never has any case of trichinosis been found. It is stated that there is no danger when the meat is properly cooked, and uncooked meat is very seldom eaten in Belgium. The Government will take no precautionary measures, but will declare some rules, the effect of which will be sufficient.

M. DE DECKER. My thanks to the honorable minister for his declaration. There was some agitation at the Antwerp exchange upon hearing of the French decree. As is well known, the trade in salted meats is very considerable at Antwerp. All observations are favorable to the importation of salted meats from the United States. The few cases of trichinosis were created by home-bred meat.

M. ROLLIN-JAEQUEMYNS, *minister of the interior*. I have never had knowledge of any case of trichinosis.

M. WILLEQUET. I am quite satisfied. I made my interpellation merely in order to allay excitement in Belgium.

No. 128.

Mr. Mason to Mr. Hay.

No 28.] UNITED STATES CONSULATE,
Basle, March 2, 1881. (Received March 19.)

SIR: Referring to dispatch No. 27 from this consulate, under date of February 26, reporting to the Department that a motion had been announced for debate in the Federal Council of Switzerland with a view to the enactment of a law to prohibit the importation of American hams, bacon, lard, and other hog products into Switzerland, I would now report that the motion has been changed to a request for inquiry as to what measure should be taken to guard against the damages that might arise from such importations. Public opinion on this subject has been considerably modified during the past few days, and it does not seem probable that any prohibitory measure will be enacted during the present session,

I have the honor to inclose also two articles from the Basler Nachrichten, with translations of the same.

I am, etc.,

FRANK H. MASON, *Consul.*

[Inclosure in No. 28.—Translation from the Basler Nachrichten.]

Mr. F. H. Mason, consul of the United States of America, at Basle, writes us:

"Will you kindly permit me to contribute a few words to the discussion of the subject of American meats, which is now going on in the newspapers? Whoever wishes to form a just opinion must bear in mind the following facts:

"I That all hams, shoulders, bacon, and lard intended for export from the United States to Europe are twice carefully inspected by official inspectors—once at the place where the hogs are killed and once at the sea-port where the meat is shipped.

"II. That there is no record of any person being infected with trichina from eating salted meats. The danger of trichinosis comes from eating freshly-killed pork which is not properly cooked. The case of trichinosis in France, which produced the recent agitation on that subject and led to the decree interdicting American meats, is now officially declared to have been caused by eating the meat of a newly-killed pig which had been raised in France and was not cooked at all.

"III. That in England, where the inspection of imported articles of food is the most careful and rigorous in the world, there was imported from the United States between November 1, 1880, and the 15th of January, 1881 (ten weeks), not less than 36,351,000 pounds of lard and 137,987,500 pounds of salted hogs' flesh, and not a single case of trichina or impurity has been found.

"IV. During a period of two years the principal importer of American meats in Basle had all his meats inspected by a city inspector, and at the end of that period this inspection was discontinued by the city authorities because they thought it no longer necessary.

"V. The Government of Belgium, which country imports large quantities of American meats, refuses to follow the example of France, and it is already announced by the French journals that the French governmental decree against those meats will be at once either essentially modified or wholly repealed.

"Switzerland in 1879 exported to the United States more than 60,000,000 francs worth of manufactured products, and imported in return only the value of 10,000,000 francs from that country. The reports of 1880 will show a still further disparity in favor of Switzerland. Is this causeless effort to prohibit one class of imports, which gives the Swiss people cheaper food, just or wise?"

[Translation.]

EUROPEAN HOG'S FLESH.

In the midst of the great clamor about American hog flesh it has been forgotten that there is also a considerable importation of European hogs into our country, in which the only so-called "Berne hams" are to be first considered. Here it is well known to us us that by this kind of importation many abuses occur. May not, therefore, our sanitary police begin with a very careful inspection of this class of European meats? Even Swiss swine may also be infected with trichina.

No. 129.

Mr. De Zeyk to Mr. Hay.

No. 69.] UNITED STATES COMMERCIAL AGENCY,
St. Galle, March 17, 1881. (Received April 14.)

SIR: From the following translation, the original of which I caused to be published as an editorial in the local Journal of Commerce, the Department will perceive that prohibitory measures already adopted in Austria-Hungary and France against our flourishing export trade in beef and pork threaten to endanger these interests in Switzerland.

Bearing in mind the regulation (United States Consular Regulations, § 424) which denies to consular officers the right of personally seeking through the press the redress of wrongs (however unjust, as in the present case, these wrongs may be), I was obliged to proceed indirectly. The editor of the St. Galler Handels-Zeitung obligingly gave space in his paper to the protest against the prohibition, and at the same time I drew the attention of our chargé d'affaires at Berne to the matter, and in my letter to him, a copy of which is inclosed, suggested that the American consuls in Switzerland should take appropriate action in the premises.

As whatever could be done to influence the deliberations of the federal council had to be done at once before a decision was reached, I had no time to consult the Department in the matter. I felt assured, however, from the straightforward action of the chamber of commerce at Cincinnati and the boards of trade at Chicago and Indianapolis that there was no just ground on which to base a prohibition of the importation of American pork. I trust the Department will approve of the course I have taken.

The following is a translation of what appeared in the St. Galler Handels-Zeitung of March 15, 1881:

On the 24th of February last, H. Estoppey addressed the following interpellation to the *Standerath*:

"The President of the French Republic has just issued a decree prohibiting the entry of pork coming from the United States of America. In view of the danger which may result from the use of such meat, arising from the trichinæ with which it is for the most part infected, the federal council should be invited to consider the advisability of issuing a similar prohibition for Switzerland."

This being considered an important question, the federal council was requested to consider the appropriateness of some measure prohibiting the importation and consumption of American meat, or of allowing the several cantons to take proper action for themselves.

We have seen that Austria-Hungary prohibited the importation of American meat.

Before reflecting upon these singular resolutions, we will lay before our readers a report of the proceedings in the Belgium legislative chamber.

The decree of the President of the French Republic prohibiting the importation of American pork has produced no little excitement in Belgium, and especially in Antwerp, which is well known to be the chief market for that commodity. The subject was brought into discussion in the legislative chamber by an interpellation of Deputy Willequet, and the fact was developed that "there was as yet not a single case of trichinosis in Belgium." Mr. Willequet wished to have the fact that no danger from American pork was to be feared stated officially through the minister of the interior.

Minister Rolin-Jaequemyns replied that it was not his province to consider a legislative measure taken in France, but that he thought he could re-assure the honorable member on the subject of trichinæ. He stated that the Government had long since considered the danger which might ensue from the consumption of pork, and that twenty years ago the Academy of Science and the sanitary commission had thoroughly investigated the matter. He stated further that no case of trichinosis had occurred in Belgium; that it was a well-known fact that cooking rendered the meat harmless, and that very little raw meat was consumed in the country. He finally said that

the Government had no intention or resorting to prohibitory measures, but would content itself with issuing sufficient cautionary notices.

The Deputy de Decker, after thanking the minister for his explanation, said that the Antwerp Exchange was sensibly affected by the issue of the French decree on account of the considerable pork trade at Antwerp. He added that it must be borne in mind that all experiments upon American pork resulted in its favor, and that the few cases of trichinosis which have occurred in Europe have been invariably traced to the use of inland pork. The minister of the interior stated anew that "no case of trichinosis had occurred." To all of which Mr. Willequet replied: "I declare myself to be satisfied. I made the interpellation only in order to be enabled to re-assure the country upon its sanitary condition."

We will give our federal council credit for the same tact as that shown by the Belgian Government in this all-important question to the Swiss people.

We are willing to suppose the originator of this motion, the delegate from the canton of Waadt, neither a butcher, nor a land-owner, or an agent for those of similar pecuniary interests. As his motives are thoroughly disinterested, therefore, and are inspired by patriotic solicitude for the well-being of his countrymen, the federal council will also, in the matter, confine its investigation to sanitary considerations.

In this investigation two questions will naturally present themselves: First, has the consumption of American pork produced any injurious effect upon Swiss consumers up to the present time? Secondly, do the exporters and sanitary officials in America offer sufficient assurances that only the meat of healthy animals shall be exported?

To the first of these questions the most searching inquiries have resulted in an emphatic negative. To the second question the affirmative must as surely be returned by any person conversant with the sanitary precautions which are invariably taken in America to secure wholesome food to the public. These precautions, which are taken by frequent visits of competent sanitary inspectors, are more stringent in American meat-packing establishments than in Switzerland, even in the largest cities. Furthermore, the producer will not risk his reputation by selling a few hams infected with trichinæ when he knows that by so doing he will, in all probability, lose a large and lucrative trade. The American producer is perfectly aware of the fact that he can command the markets of the world only by offering for sale an article of known excellence. Nor must it be forgotten that the meat exporters of America have made great improvements in their manner of fattening animals and in their processes of packing and preserving meats, so that they now excel the Swiss in such matters.

If the meat to which Mr. Estoppey took exception was indeed of American production, it must have been corned beef, or canned meat, or meat in brine, as it was imported ten years ago. We feel sure that if he could see American smoked beef, ham, and pork as it is now imported from Wisconsin and sold at St. Galle, Gossau, and Winterthur, he would have no fear of its unwholesomeness. We think that he would, with us, desire to see the trade in American meat introduced in all the larger cities in Switzerland to enable the workmen to obtain ch aper provisions. * - *

Hitherto all attempts to secure the regular importation of American meats have failed because not enough attention was paid to the taste of consumers. The Swiss are accustomed to smoked and dried meat, but do not like meat that is soft, as the meat generally is that is sent from America canned or barreled. It occurred to a butcher of Enneda, canton of Glaris, who has been for many years a farmer at New Glaris, Wis., that corned and smoked beef and pork, cured in the Swiss manner, would have a ready sale in this country. Encouraged by his first venture, he started a large packing establishment on his farm, feeding his animals from the waste from his dairy. As he is known to take every precaution in examining his meats before exportation, consumers in East Switzerland have great confidence in them, and they thus secure a ready sale. These meats and hams are of excellent appearance and flavor, and are sold by Swiss butchers 20 per cent. cheaper than other meats. This, besides being a direct advantage to the workingmen, has the effect of reducing the price of meat 10 per cent. wherever American meats are introduced. It is understood that the same farmer (Mr. Hösly) intends to introduce his meats into every large town in Switzerland, and doubtless many other Americans will follow him in providing the Swiss people with this cheap and wholesome food.

The Federal authorities before prohibiting the importation of American meat—in deference to the outcries of a few envious butchers and cattle dealers—should consider the interests of our working classes and of the Swiss farmers in America, and the slight it will offer to the American Government and to commerce at large. We are living in a country dependent upon America in many ways. America furnishes the market for our industries, receives the surplus of our population, provides us with most of our provisions. We should therefore desire to be on friendly terms with that country especially as we derive the most advantage from our intercourse with it. Would we not feel aggrieved if the Americans should retaliate by prohibiting the importation of our silk goods, embroidery. etc., on some pretext, actually arising from fear of our competition?

To return to the subject of American pork suspected of containing trichinæ, even if a few hams containing trichinæ were introduced accidentally into Switzerland, there would be little danger to be feared from their use. The Swiss eat no raw meat, and it is well known that pork containing trichinæ, in the most dangerous state, is harmless when cooked with a heat of 60° R. Would it not be better to prohibit the introduction of hams from Westphalia, sausages from Gotha, and pork from Italy and Hungary—countries which may be called the homes of trichinæ?

We have the firm belief, however, that the Federal Council, instead of resorting to extraordinary measures to prohibit importation, will allow the Swiss to take care of their own health and buy their meat and pork wherever they please.

I am, etc.,

A. J. DE ZEYK,
United States Commercial Agent.

[Inclosure in No. 169.]

Mr. De Zeyk to Mr. Fish.

UNITED STATES COMMERCIAL AGENCY,
St. Galle, March 14, 1881.

SIR: The inclosed number (21) of the St. Galler Handels-Zeitung of March 15, with its editorial against the contemplated prohibition of the importation of American meat will, I have no doubt, have sufficient weight with you to cause the same to be reproduced through our consuls in the commercial publications of their respective districts.

This I consider a measure of public utility, and in furtherance of our export trade, and as such will, I presume, be actively carried out by our consuls, that by its timely publication there may be exercised a favorable influence upon the Bundesrath's decision in the impending case of the proposed prohibition.

The cantons of my district being the most immediately concerned in the contemplated measure, I did not hesitate to do what I thought my duty, and appeal through the columns of the St. Galle Journal of Commerce, to the good common sense of the Swiss community at large, to use the weight of their opinion, and to disregard the wishes of a few, who, through mere envy and intrigues of competition, threaten to paralyze with their prohibitory measures the importation of American meat, one of our most thriving and extensive industries.

I am, etc.,

A. J. DE ZEYK,
Commercial Agent.

No. 130.

Mr. Mason to Mr. Hay.

No. 35.] UNITED STATES CONSULATE,
Basle, April 19, 1881. (Received May 7.)

SIR: I have the honor to report that in compliance with instructions received by telegraph from the Secretary of State, on the 24th of March, I have continued to investigate the subject of American meat imports in Switzerland, and have to submit the following:

I. The resolution which was introduced in the Swiss federal legislature on the 23d of February, demanding the enactment of a law prohibiting the importation of bacon, hams, and other hog products from the United States into Switzerland, was modified, as already reported in these dispatches, to a resolution of inquiry, and referred to the national sanitary commission, a permanent board of seven members, presided over by the eminent Dr. Schenck, of Berne.

Until the present time the commission has taken no definite action in respect to the resolution, but it is probable that during May or June

it will hold a special session to consider that subject, and will submit its report to the autumn session of the federal legislature, which will assemble in September.

The tenor of this forthcoming report of the sanitary commission will practically determine the character of the law which Switzerland will probably adopt to regulate the traffic in meats. In view of the importance of the commission's report, I shall feel justified, unless otherwise instructed, in attending its meeting, to present the facts as I understand them in defense of American meat-exporting interests.

From the present temper of the Swiss Government and the prevailing tone of public sentiment on this subject, it seems probable that the ultimate result will be the enactment of a statute which will require all hog meats which are sold for food in Switzerland to be examined and approved by official inspectors who shall be appointed and qualified under the law.

Against such a system no valid objection could, of course, be urged. It can only be asked in behalf of American meats that they shall be accepted and judged by the same code as that applied to meats from other countries.

II. Further observations concerning trichinæ:

From frequent inspections conducted personally by the principal meat importers of Basle I deduce the following facts with reference to the prevalence of trichinæ:

It is generally understood that the domestic swine of all countries are more or less liable to be infected with trichinæ. The danger and degree of this infection vary with different seasons and conditions, but the following is, perhaps, a fair average statement of the comparative degree of trichinæ infections in the meats principally used in this country: In native Swiss pork, 1 piece in 2,000; Westphalian meats, 1 piece in 200; from Berlin and northeast Germany, 1 piece in 250; from the United States, 1 piece in 100.

Among hogs of the Lower Rhine Valley 1 live hog in every 100 is infested with trichinæ; in Brunswick, 1 in 5,000; in Gotha, 1 in 1,800; in Schwerin, 1 in 550; in Kiel, Prussia, 1 in 260; and in some parts of Sweden, 1 in 63.

The conclusion is, therefore, that the hogs of the United States are as a whole not more nor less subject to trichinous infection than those of Europe.

There is no definite evidence to show that any danger to human life or health has been incurred in Europe by eating salted and seasoned meats imported from America; in fact, all testimony goes to prove that the salting and curing process destroys the vitality of the parasite, but the fact that it exists in a more or less developed state in perhaps one-half of 1 per cent. of American meats serves to confirm prejudices and seriously disturb the market. Any person with an ordinary microscope can detect trichinæ where they exist in freshly-killed hog's meat, but it requires an expert with a good glass to find them in salted and seasoned pork. They have been found, nevertheless, by the Basle importers in some American meats which had been twice inspected, once at the packing-house and once at the place of shipment.

The result of all the recent agitation of the meat question, since the announcement of the prohibitory decree by the French Government in February last, has been a falling off of from 12 to 15 per cent. in the import of American meats into Switzerland. In the cantons of Berne and Zurich the local butchers and meat dealers have influenced the cantonal authorities to refuse admission to American hams and bacon

on the unofficial certificate of a private inspector, although meats are admitted from Germany, the inspection of which, although nominally "official," has been obviously hasty and superficial. American meats are still, however, sent into the cantons of Berne and Zurich to some extent under invoices which make it appear that they came from Germany. To this extent only, so far as I can ascertain, is there a practical discrimination in Switzerland against American meats.

CONCLUSIONS.

The most obvious conclusions to be derived from the existing facts would seem to be:

I. That the fact must be recognized that an average of 1 per cent. of the hogs slaughtered in America during certain seasons are infected by trichinæ. Farmers should be made to understand that the danger of this infection is greatly increased when the hogs are permitted to eat decaying animal matter.

II. All pork slaughtered for export should be carefully inspected and trichinous carcasses rigidly condemned. The partial loss of 1 per cent. of the hog crop is trifling compared with the impending ruin of the pork export trade.

III. There should be published under national authority, and distributed for republication throughout Europe, clear and complete statistics showing the extent of the hog product in the United States; the immunity of the American people from trichinosis notwithstanding their large consumption of native meats; the numbers of hogs which die yearly of cholera and the accidents of transportation, *and what becomes of them*, and finally, the actual values of land and corn in the pork-growing States, by which it can be shown that American meats, notwithstanding their superior quality, can be legitimately sold in Europe from 10 to 20 per cent. cheaper than native meats. It is often published and popularly believed in this country that the hogs which die of disease or are killed or suffocated in transportation are packed for European markets; and that the comparative cheapness of American meats is due to their uncertain quality.

The widespread prejudice against American meats can be adequately met and overcome only by a rigid system of official inspection, by competent experts, appointed by national or State government, and empowered to use a seal or other device representing governmental authority. To the European mind an *official* seal is inferior in potency only to the edict of royalty itself. American pork of all kinds is conceded by intelligent and fair-minded dealers to be the best in the market, and it is growing better year by year, as the methods of curing and packing for European consumption are improved. Through a combination of adverse interests and misfortunes, for some of which careless and avaricious American exporters have been responsible, these meats are temporarily under suspicion, but there is apparantly no difficulty in the present situation which a prompt, positive, and thorough policy may not successfully meet and overcome.

I have, etc.,

FRANK H. MASON, *Consul.*

No. 131.

Mr. De Zeyk to Mr. Hay.

No. 78.] UNITED STATES COMMERCIAL AGENCY,
St. Galle, April 22, 1881. (Received May 12.)

SIR: Referring to my dispatch No. 69, of March 17, I have now the honor to state that Mr. Hösly, of New Glaris, Wis., has just called to inform me that, having lately come to Europe for the inspection of his retail shops at Winterthur, Gossau, and St. Galle, he was invited by Mr. Schenck, the member of the Federal Council for the Department of the Interior, to personally present his case, and that, during that interview, Mr. Schenck has, in so many words, told him to "go ahead" and to import all the pork, ham, corned beef, etc., that he can sell, without any fear of a prohibition from the Swiss Federal Government.

Besides what was published, conformably with its translation given in my said No. 69, I have given to the "press" the whole "embroglio" with Vice-Consul Crump, as reported in the March number of the American Exporter, in page 13, under heading of "Unfounded reports about American hog products."

The wide circulation of these publications may, as surmised in my No. 69, have had its influence with the Hon. Secretary of the Interior; his commendable action in the premises, as aforesaid, can at all events now be considered as a favorable solution of the affair.

I am, etc.,

A. J. DE ZEYK,
Commercial Agent.

No. 132.

Mr. Mason to Mr. Hay.

No. 38.] UNITED STATES CONSULATE,
Basle, April 29, 1881. (Received May 16.)

SIR: On the 26th of February, eight days after the promulgation of the decree of the French Government prohibiting the importation into France of salted pork from the United States, the undersigned had the honor to submit to the Department, in dispatch No. 20 from this consulate, some observations on the subject of that prohibition, which were given in substance to the American press.

Some of those statements seem to have been received in certain quarters with incredulity. It has seemed incomprehensible to various American journals that the Government of the French Republic should have formally prohibited the importation of salted meats from America, and that other governments should have manifested such readiness to follow that example, when not a single case of trichinosis could be established as having resulted from the enormous consumption of those meats in Europe during the past twenty-five years.

I beg, therefore, to submit as concurrent testimony the official protest of the syndicate of commerce of the city of Bordeaux, and its demand that the French decree of prohibition be repealed. This protest, which was issued after the disastrous effects of the decree of February 18 had become apparent, states so clearly and forcibly the objections of the French people to the prohibitory measure and fortifies so powerfully the

disputed points in the earlier dispatch above alluded to, that I have translated it into English and inclose herewith printed copies, in the hope that the Department will regard it worthy of the widest circulation in the American press. It will, perhaps, be sufficient that no statement made in this circular of the Bordeaux syndicate has been thus far successfully disputed. If it accuses the French Government of taking an important and unjust step through ignorance of facts or insincere motives, we have only to remember that this is French testimony of the highest mercantile character against a declared policy of its own Govment.

Not less extraordinary than the French decree itself has been the eager and unquestioning readiness with which it has been echoed and accepted by certain smaller governments, notably one of the French cantons of Switzerland. In the canton of Neuchâtel there was published recently in the official organ a proclamation from the minister of the interior to the following effect:

* * * The decree promulgated by the Government of the French Republic, interdicting the importation of salted pork meats from the United States of America, calls our attention to the dangers threatening the public health from the consumption of those meats. It is well established by microscopic examination that the *greater part of these meats,* which in the forms of hams *and conserved canned meats* constitute a portion of the public sustenance, contain trichinæ in greater or less proportions, and that their use as food, if not preceded by thorough cooking, so as to entirely destroy these parasites, may communicate to man the disease called trichinosis.

The peculiar kind of intelligence manifested in this proclamation is difficult to deal with when clothed with official dignity and authority. The most determined European enemies of American meats have never before ventured to assert that more than *one* or *two* per cent. of those meats are trichinous. It is generally known that canned meats sold in Switzerland are not only thoroughly cooked as the first essential of their preservation, but also only include beef, mutton, and the tongues of calves, sheep, and oxen, which are not subject to the trichinous infection at all. When, therefore, it is officially stated that *more than half the American hams, bacon.* and *cooked conserved meats* from America are trichinous, the magnitude and density of the error present some difficulties. The canton of Neuchâtel sells 54 per cent. of its annual product of watches to the United States for nearly 8,000,000 francs. It imports from the same country only 150,000,000 francs, principally cured and canned meats, and even this small trade has been for the present practically destroyed by the proclamation above alluded to. Not a single case of trichinosis had ever occured in that canton, nor, so far as I can learn, has there been any discovery there of trichinæ in American meats. I will further report that this consulate is in correspondence with the cantonal government of Neuchâtel on this subject, and will counteract by all available means the effects of its hasty proclamation.

There are abundant and unmistakable evidences that the artificially-created panic respecting American meats has reached its highest, and the tide is beginning to turn. From the first *the people* have taken no part in it, and, as they are the principal sufferers from the increased cost of meats, they begin to complain. Even the butchers and pork producers find that, though prices have advanced, sales have greatly diminished. The panic has seriously injured the demand for domestic as well as imported meats, and many of those who at first favored prohibition now oppose it. I herewith inclose a leading article from the *Journal de Genève* of a recent date (with a translation of the same) which concedes unreservedly the entire ground of dispute as to the wholesomeness of

American pork and the true motives which underlie the present agitation. The further the discussion is continued the more obvious becomes the logic and causes of the prohibitory movement. The utter failure of the alarmists to present a single authenticated case of trichinosis in France, England, Belgium, or Switzerland which could be traced to the use of salted American meat has left them practically without a tenable case.

Upon the general question whether salted and cured pork can, under any circumstances, infect man or animals with trichinæ, I have to present the following convincing evidence:

As reported in my dispatch February 26, the leading meat importer of Basle had for a period of two years subjected all his meats, including those from France and Germany, as well as those coming from America, to the examination of the official city inspector. In all these meats there were found occasional pieces in which the microscope detected traces of defunct trichinæ. These infected pieces were put aside, and for a space of six months were experimentally fed to hogs, dogs, cats, and chickens under the personal supervision of the municipal slaughter-house director. At the end of six months these animals were killed and their flesh carefully examined. In not one of them could the most skillful inspector discover the slightest trace of trichinæ. It was a result of this experiment that the inspection of imported meats was voluntarily discontinued by the city authorities.

It is felt that this record of observations will be incomplete without some definite practical suggestion as to the most practicable methods of inspection. The exaggerated prejudice against American pork may be exposed and the prohibitory decrees repealed, but I beg to repeat that in my opinion the European traffic in American salted meats can never be fully restored until a system of official inspection is established which shall carry with it the weight and force of Federal or State authority. From the working of the municipal inspection systems in several German cities—notably, Berlin—it is found that a capable inspector can thoroughly examine one hundred pieces during an ordinary working day. Young men of ordinary education, but strong, clear eyesight, might be trained in a fortnight, under skillful microscopists, to be perfectly competent inspectors. In Chicago or Cincinnati this system might be applied, and inspectors trained for service in the large packing-houses. Estimating their wages at $3 each, the cost per hog for the actual work of inspection would be 3 cents. The official inspector, having supervision of the practical microscopists, could seal and authenticate their work. Until this or some similar system is adopted the 1 per cent. of trichinous hogs, which is conceded to exist in the United States, will prove a serious obstacle to the maintenance and further development of our export trade in meats. The European meats, with which our own come into competition, are nearly all officially inspected; and until American hams and bacon bear the seal of official examination they will be, in presence of existing prejudices, at a serious disadvantage in the markets of the Old World. It is within the power of the American meat exporters to turn the momentarily disastrous pork panic of 1881 into an opportunity for making their meats more widely and favorably known than ever before. They are fighting a defensive battle, but they can win it.

I am, &c.,

FRANK H. MASON.
Consul.

[Inclosure 1 in No. 38.]

THE BOARD OF TRADE.—SYNDICATE OF LARD AND SALTED MEATS, BORDEAUX.

AMERICAN SALTED MEATS.

On the 18th of February, 1881, a decree rendered on the report of the minister of agriculture and commerce interdicted throughout the territory of the French Republic the importation of salted meats from the United States of America.

It is proper to examine, in the report which preceded the decree, whether a measure so grave, which strikes a blow so terrible to so important a branch of commerce, causes a serious derangement in the sources of public food, exiles from our ports so valuable an element of freight (60,000 tons), has been inspired by facts which adequately explain the precipitation with which it has been adopted.

We remark, in the first place, that the minister, in invoking the motive of hygiene, has not shown in his report any facts justifying his own fears; so, as he has shown none, we are justified in supposing that none existed.

It is not within our province to discuss the question from a scientific point of view; we limit ourselves in this protest to a review of the discussion which took place in the academy of medicine during the sessions of 15th and 23d of February, 1881, and in which it was decided that the danger resulting from eating trichinous pork is completely destroyed, first by salting, and above all by our culinary system, which secures for all our meats sufficient cooking.

One single case of trichinosis has occurred in France, viz, at Crespy en Valois (oise), in 1878, and that was caused by the meat of a hog raised and slaughtered in France.

This single fact serves to demonstrate that the French animals are as susceptible as those of America to infection with trichinæ. And behold! even this isolated charge against French pork is disputed by the honorable Mr. Bouillaud, member of the academy of medicine, professor of the faculty of Paris, who attributes that fatal illness to a typhoid disease.

Since then, during twenty-five years, there have been introduced into France from 400,000,000 to 500,000,000 kilograms of American salted meats, and the doctors have not established beyond dispute a single victim of trichinosis among the consumers of these enormous quantities. Is it then necessary to excite alarm and to have recourse to prohibitory measures?

We have now to examine the situation of different European nations, which the minister cited as having decreed a similar prohibition. Contrary to the documents which have been furnished to him, this prohibition does not exist in any part of Germany; to convince oneself of this, it will be sufficient to consult the official statistics of the ports of Bremen, Hamburg, and Stettin.

The Government of Germany has only prohibited the importation of meat for sausages. This meat, cut very fine, was only designed for consumption in that country. Its prohibition was not caused by the discovery of trichinæ, but solely on account of its unwholesomeness, resulting from the nature of its preparation. These meats, packed in barrels and very slightly salted, were generally sufficiently well preserved, but it sometimes happened that during the voyage they underwent a peculiar kind of fermentation, which, in the opinion of the German savants, rendered them unfit for food.

The prohibition does not exist in Spain. In that country it was decreed in March, 1880. We need not show the motives which provoked this measure, since the interdiction was repealed five months later, that is to say, on the first of August, 1880. American pork has to-day free entry into Spain.

The prohibition does not exist, except in Italy and Portugal. We have now cause to think that in the latter country the duty has been repealed recently, for in the exports made from New York in January last we see Portugal charged with 35,000 kilograms of salted pork. But in the absense of official statistics we affirm nothing on this point.

In Italy, the Government, yielding to the pressure of the home packers and hog growers, who found their industries depressed to the lowest extent by the competition of the American products, declared them prohibited. This measure could not have there the same disastrous consequences which we foresee for our country, since Italy produces more pork than its people consume. To show how exaggerated are the apprehensions of our minister of commerce, we feel constrained to present some observations, sustained by statistics, which we guarantee as perfectly exact:

The number of hogs killed in the Western States of America from the 1st November, 1879, to the 31st of October, 1880, were	12,190,000
The packers of the Eastern States, including the ports of New York, Boston, Philadelphia, and Baltimore, killed during the same period	2,415,000
Making a total of	14,605,000

In these figures are not included the hogs killed by the butchers to be consumed in a fresh state. We know, however, that the number of these hogs has been considerable.

We have here only to consider the salted meats. The 14,605,000 hogs have yielded a meat product of 1,404,000,000 kilograms. If we deduct the 265,000,000 kilograms, quantity of lard produced, there remain of salted meats 1,139,000,000 kilograms.

From this colossal sum the United States have exported during the same months 387,740,000 kilograms, retaining for their own consumption 751,260,000 kilograms, or 15 kilograms 300 gr. (about 32 pounds) to each inhabitant in a population of 49,000,000 of people.

The 387,740,000 kilograms exported are thus divided:

	Kilograms.
Great Britain	274,821,000
Continent of Europe	89,339,000
West Indies and Central America	23,580,000
Total	387,740,000

The population of Great Britain is 30,000,000, so that the average consumption of American pork is about nine kilograms per capita. The 89,339,000 kilograms consigned to the European continent include the shipments to France, Belgium, Holland, Denmark, Sweden, Norway, Germany, Russia, and Spain. Our country is included in this estimate for about 32,000,000 kilograms brought by direct transportation, and 5,000,000 or 6,000,000 kilograms coming from other ports of Europe; on the other hand, we have exported some millions of kilograms into Spain and Switzerland.

The average of our consumption is about one kilogram (2 pounds) per individual.

Why, then, should two great countries, such as England and the United States, which are quite as careful as ours of the health of their inhabitants, remain indifferent to the dangers which menace our French consumers?

But if the danger were as serious as it is pretended, what ravages, what death would it have caused among their population! A number of fatal cases would have been proved beyond dispute, and it is not to be doubted that those Governments, having recognized the peril, would have vigorously suppressed its causes.

The decree of February 18 has had the effect to arouse the cupidity of the protectionists of England and Belgium, countries in which the consumption of American meats is much greater than here.

At London an interpellation has taken place in the House of Commons. According to a dispatch of February 22, the Right Honorable Anthony John Mundella, secretary to the minister of the interior, said that "no official information had been received on the subject of the interdiction of American pork in France, Russia, Italy, Austria, Spain, Portugal, or Greece."

"The interdiction in England would bring great hardship to the poorer classes. Moreover, it would not be sufficient to merely prohibit the importation of pork from America, since the trichinæ exist in Germany and in France, and since other countries receive American pork England would in turn receive it indirectly from them."

At Brussels the minister of the interior, being interrogated, responded categorically that no case of trichinosis had ever been proven to have occurred in Belgium, and he had therefore taken no prohibitive measures. He further added that it was understood that in Germany the precautions taken to secure inspection of hog meats were unnecessary and causeless.

Italy alone maintains a prohibition rather as a measure of protection than hygiene, and should France, where free trade, by the grace of God, has taken such deep root, seek to imitate her?

Is it to be doubted that a measure so grave will have a disastrous influence on our export trade by encouraging the protectionist influences which surround Congress at Washington? We know that great efforts are being made to secure an advance in the import duties on wines and silks. Why furnish the enemies of free trade with such powerful arguments against the reduction of the tariff, which will encourage the Senators and Representatives from the West, whose interests are to-day directly sustained by the decree against which we protest?

To the foregoing considerations we wish to add that prohibition, the object of which is to afford us protection from a danger entirely hypothetical, would have as its effects:

1. To deprive the poor classes, without affording them an equivalent, of an article of food, the wholesome and substantial qualities of which they appreciate, and which they in many cases prefer to the French meats.

2. To diminish the consumption of French pork as well as that of American production; and our pork dealers, who have appeared to approve the measure, are on the other hand already constrained to protest against it because they find their receipts seriously diminishing.

We insist, finally, that the decree is ineffectual, because, if the barriers are set up against America, our ports are still open to European imports.

But such a distinction being impossible, since a knife can readily give a piece of pork various different forms, the American meats would continue to invade our frontiers, under the pretense of having had another and different origin, to such a degree that this deplorable measure would accomplish the ruin of our markets for the profit of neighboring countries, without in any sense protecting the public health, which would continue to be threatened by the same imaginary dangers. In view of such results we demand that the Government repeal the decree of the 18th February, a decree worthy of another epoch; that it take the necessary measures to examine all meats, from whatever source, at the moment of their entry into France; and that it remind the public that pork of all kinds should never be eaten without being first thoroughly cooked.

In yielding to our demand the Government would readily attain the desired result and establish the safeguards most efficacious for the public interests.

[Inclosure 2 in No. 38.—Extract from the Journal de Genève.—Translation.]

It appears at present that the current reports with regard to the danger arising from the use of American pork have been enormously exaggerated, if not entirely unfounded. The ministers of the interior at Paris, London, and Brussels have acknowledged before their respective parliaments, in response to the interpellations addressed to them on the subject, that up to the time of speaking *no case of trichinosis resulting from the use of these meats has ever been authentically proved to have occurred in France, Belgium, or England.*

The persistence of these reports, so injurious to the reputation of the products of the United States, is easily explained by the fact that there are two numerous classes who are interested in destroying the demand for these products. The enemies of American salted meats are, in the first place, the producers of European meats, who see with dismay the gigantic development of resources across the Atlantic, destined to revolutionize the entire provision trade in the Old World; and in the next place there is the ring of speculators in the United States interested in the decline of pork, and who endeavor to break the market prices, at present very high, by frightening the consumers with stories of trichinæ, hog cholera, etc.

An idea may be formed of the extent to which speculation in pork in the United States reaches by the statement that one firm in Chicago (Armour & Co.) is said to have made in one season, by a skillful combination, a profit of thirty millions of francs.

RÉSUMÉ.

1. It is generally believed that the *trichina spiralis* was derived originally from the rat, which is the only animal except the hog in whose flesh it is found until it is developed in the human body in the disease known as trichinosis. Wherever hogs have access to the flesh of rats, particularly when the latter is in a putrefying condition, there is danger of trichinal infection. Probably an average of one per cent. of the hogs slaughtered in Europe and America are thus infected, although the percentage varies greatly in different districts.

2. The ablest authorities in Europe now practically agree that the salting and curing process, as applied to hams, bacon, and side pork prepared for export or preservation, effectually destroys the vitality of the parasite. The most careful search fails to discover a single authenticated instance of trichinosis in Europe induced by eating salted meats imported from America. In the city of Basle, Switzerland, a number of hogs, dogs, and other domestic animals were fed experimentally, during a period of six months, with trichinous salted pork, and at the end of that time it was found that none of these animals had received the slightest infection.

This experiment was conducted under the supervision of the municipal slaughterhouse director, and at its conclusion the official inspection of imported meats, which had been maintained here for two years previously, was abolished.

3. The *trichina spiralis* is readily discovered with a microscope when existing in fresh pork, but it requires an experienced eye, with a strong glass, to detect the shrunken, lifeless parasite in thoroughly cured meats. For this reason a large proportion of the mercantile inspections in Europe and America have been, at least until recently, imperfect and inconclusive. It is not apparent that American pork is any more or less free from trichinæ than that of other countries, but as it is uniformly well cooked before being eaten at home, and thoroughly salted before being exported, it was never found "unwholesome" until its superior cheapness and excellence made it dangerous to certain foreign interests.

4. Only one case of trichinosis has ever occurred in Switzerland and only one in France, and these are both officially conceded to have been caused by fresh native pork. It is only in the one country where raw hog's flesh is eaten raw, usually in the form of sausages, that trichinosis has become a real danger to public health.

5. The real motive behind the present European crusade against American meats is openly conceded in Italy, viz, the fact that meats from the United States undersell the native product and thereby incur the hostility of local butchers and farmers, as well as economists, who fear the ultimate effect of heavy and increasing importations.

6. It will undoubtedly be necessary for American packers who wish to retain and enlarge their foreign trade to defer to the prevailing sentiment of European countries which demands a rigid and competent official inspection, at the time and place of packing, of *all pork* sold as food.

No. 133.

Mr. Mason to Mr. Hunter.

No. 42.] UNITED STATES CONSULATE,
Basle, June 13, 1881. (Received July 5.)

SIR: In dispatch No. 41 of June 4 from this consulate it was reported in substance that the federal sanitary commission of Switzerland, after mature consideration, had decided that the facts in evidence did not warrant the prohibition of salted meat imports from the United States to Switzerland, nor justify any compulsory official inspection of such meats after their arrival in this country as a precaution against danger from trichinæ.

I have the honor to now submit a copy (with translation) of the official circular in which the President of the Swiss Confederation conveys this decision, with the reasons therefor, to the several cantonal governments.

This circular is of great value and interest to the pending discussion of the question of American meats in foreign markets, first, because it embodies the deliberate conclusions of a committee of able and experienced men who have had access to all important facts pertaining to the subject; and, secondly, because the reasons for their conclusions are clearly and definitely stated upon the absolute merits of the case itself as a question of sanitary policy uninfluenced by any covert motive of retaliation or merely economic expediency.

It will be observed that the commission finds that American pork, like that produced in other countries, is subject to trichinosis infection, the percentage of American meats thus infected being rather above that of the pork produced in European countries; but it also finds that the process of salting and curing, as applied to pork imported from the United States, destroys the vitality of the parasite, and is nearly a practical protection against danger from that source, and it adds that this protection is rendered absolute when the meat is cooked at a temperature equal to or exceeding that of boiling water.

But the circular dissents sharply from current opinion when it asserts, and apparently with excellent reason, that no official inspection of meats can be sufficiently searching to be practically effective, since it is impossible to examine minutely every part of each piece of meat offered for sale, and thereby detect the eggs of the *trichina spiralis*, which, in the case of salted meats, are the only possible source of danger to human health. These eggs are less sensitive to the effects of salt and smoke than the matured parasites, but all are with equal certainty destroyed by adequate cooking, upon which the Swiss people are instructed

to depend in future, as they have so safely done in the past, for immunity from all dangers, real and imaginary, of trichinosis. As collateral with this highly gratifying action by the Swiss Government, and in order to allay more fully the popular suspicions and prejudices against American meats which have been awakened by the events of the past few months, the undersigned has translated and published in certain prominent journals of Switzerland the circular issued by the Department of State through the American press on the 16th of May,* describing the care with which the pork exported from the United States is grown, fattened, and prepared for markets. A copy of this circular as it appeared in the Berner Bund, the official organ of the Swiss Federal Government, is herewith inclosed.

Under the present favorable conditions it is reasonable to expect that the consumption of American meats in this country, which has been seriously checked by the discussions and agitation of the past four months, will soon resume its former proportions and steadily increase.

I have, etc.,

FRANK H. MASON,
Consul.

[Inclosure 1, in No. 42—Translation.]

CIRCULAR.

BERNE, *June* 3, 1881.

The Federal Council to all the Cantonal Governments:

FAITHFUL AND DEAR CONFEDERATES: The spontaneous interdiction of the importation of American pork by France has attracted attention in other countries to the dangers which may follow the consumption of those meats as human food. In Switzerland these apprehensions were expressed in a motion introduced by Deputy Estoppey in the federal senate.

Under the authority of this motion we have felt constrained to make a thorough examination of the entire subject. The result of this investigation and the teachings of obvious facts and experience do not justify an interdiction of American pork nor an obligatory inspection of those meats as a precaution against trichina.

The various examinations which have been made establish the fact without doubt that traces of trichinæ are found more frequently in American pork than in that of European origin, even more than in the meats from northern Germany.

The number of trichinosis pieces revealed by these experiments has ranged from 1 to 2½ per cent. of the whole number inspected. For Europe, including Switzerland, the consumption of these meats is considerable; nevertheless, in spite of the quantities of trichinæ which have been shown to exist, the cases of actual injury to the public health have been very rare. The few cases of trichinosis which have occurred in Switzerland can not be attributed to American meat. In other countries the cases of trichinosis are rare and the origin of the causes to a great extent disputed. This extraordinary result is explained by the now recognized fact that in the preparation of these meats by strong salting the trichinæ are for the most part destroyed. Living trichinæ have but rarely been detected in salted meats; at Basle, for instance, never; and numerous experiments in feeding trichinosis salted meats to animals have all shown negative results (*i. e.*, no infection was created). Moreover, in Switzerland, it is customary to entirely obviate all possible danger by eating pork only in a *cooked* condition.

In consequence of these facts, we have found no reason to interdict the importation of an article of food which has caused no unpleasant consequences among our people and but few in other countries, and which, by virtue of its cheapness, exercises an influence on the prices of home-bred meats, which is highly valuable to the public. On the other hand, the utility of a special inspection on account of trichina is by no means demonstrated. In northern Germany, where extensive inspections take place, trichinosis still prevails. Even a thorough examination of certain parts of a hog does not prove conclusively that no trichina exists in other parts of the same animal. It is probably due to this fact that the flesh of some hogs which have been officially

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* *Vide post*, p.—

inspected and declared free from trichina has afterwards, on being eaten, caused trichinosis.

The easiest and only effective way to avoid all danger is, therefore, to cook thoroughly the meat before it is eaten, and this is all the more necessary because pork from other countries, as well as America, is liable to contain trichina. The few cases of trichinosis in Switzerland have been caused by the meat of hogs raised in this country and as the importation of living swine is an important traffic, there is a constant liability of importing animals already infected with trichina.

We urge you, therefore, to inform the people of your canton in the most effectnal manner that Ameriean pork, imported in part by local dealers, is largely consumed in Switzerland, *and the consumption of these meats, as well as of pork in general, is attended with possible danger unless it is thoroughly cooked before being eaten.*

As to the cooking, we find that a temperature of 60° does not secure absolute safety, but that in order to surely destroy the parasites which may be in the interior of the pieces a temperature equal to that of boiling water is required.

We embrace this occasion, faithful and cherished confederates, to commend you with ourselves to Divine protection,

In the name of the federal council of Switzerland.
The President of the Confederation:

DROZ.

The Chancellor of the Confederation:

SCHIESS.

[Inclosure 2 in No. 42.]

Announcement by the Department of State at Washington, May 16, translated into German and published in the Bund newspaper at Berne.

NOTE.—The announcement in the American press was as follows:

AMERICAN PORK.

In view of the recent action taken by the French and other European Governments in regard to American pork, as well as to be able to correct by positive and personal evidence the exaggerated reports which are published in Europe concerning hog cholera and trichina among American swine, Secretary Blaine sent the chief of the Bureau of Statistics of the Department of State to Chicago and Cincinnati to investigate the entire question of hog-raising and pork-packing in the West, in all its phases, "from the farm to the ship."

In accordance with the Secretary's instructions, this gentleman visited representative hog-raisers, buyers, shippers, packing-houses, stock-yards, rendering establishments, health offices, and forwarding agents, and has now submitted his report, which will be immediately published by the Department for circulation in Europe.

The conclusions arrived at in this report are as follows:

1. That the swine of America are of the best and purest breeds, and are fed and fattened for market on corn. It is not believed that swine are thus fed in any other country.

2. That the reports published in Europe concerning the deaths of American hogs from hog cholera are gross exaggerations.

3. That the percentage of deaths among American swine from disease is no greater than the percentage of deaths among European swine from similar diseases.

4. That American hogs which have died or may die of cholera, or from any cause whatever, can have no relation to the meat product (except to decrease it), as such animals can not, by any possibility, pass the severe scrutiny and inspection to which hogs destined for killing and curing are subject; that even if it were possible to pass such inspection, no art of the curer could convert such animals into meat which could pass the inspection, in the words of a leading curer, "even of a blind man."

5. That the fears excited and fostered in parts of Europe by interested persons, that any portion of hogs which have died, or may die, of cholera or from any other cause is or can be converted into merchantable lard, are founded on the grossest ignorance, for merchantable lard can not be produced from such dead animals.

6. That every pound of the product rendered from diseased hogs, except that part used as a fertilizer, is plainly marked "brown grease," "white grease," or "dead hog's grease," and sold as such largely to soap manufacturers; and that its color and odor preclude it from being mistaken for lard.

7. That the same care is taken in the handling and manufacture of American lard which is taken in the handling and curing of American meats; and that, as the corn-fed American hog is the cleanest of its species anywhere, it is undeniable that American lard is the purest lard in any market.

8. That the percentage of American hogs infected with trichina (though this question is thus far largely one of supposition) is in all probabiiity, by reason of the superiority of the breed and feed, much less than that among the hogs in any other country.

That the freedom from trichinosis of the two great pork consuming centers of the West, Chicago and Cincinnati, furnishes the strongest possible evidence of the purity of American pork. In Chicago, for a series of years in which forty thousand deaths were reported with their causes, only two cases of trichinosis were reported. In Cincinnati, during the same period, not one case was reported.

10. That the reported cases of trichinosis have resulted from eating uncooked meat, shown to be inferior or rejected, and that thorough cooking entirely destroys this parasite, and removes all danger in this regard from eating pork.

11. That the selection, inspection, and killing of American hogs, and the subsequent handling and curing of the meat, are not surpassed, if at all equaled, for care, precision, and understanding, by the packers or meat curers of any other country.

12. That, as a rule, the hogs selected for foreign trade are in all respects equal to the very best disposed of in our home market.

13. That the great exaggerations so industriously spread in regard to diseased pork have been aided by the different significations attached to the word "pig." In Europe it is used as the synonym of hog, whereas in America it means the young swine under six months, and generally refers to those only a few weeks old. The number of "pigs" that die from various causes compared to the number of "hogs" that die is very large, and grossly erroneous conclusions are formed by confounding the two words.

No. 134.

Mr. Blaine to Mr. Fish.

No. 217.] DEPARTMENT OF STATE,
Washington, June 21, 1881.

SIR: Referring to your No. 353 of the 25th February last, by which it appears that the Government of Switzerland had acted very temperately with respect to the consideration of measures proposed against the importation of American pork, I inclose herewith two copies of a pamphlet just issued by the Department, the contents of which you will perceive amply justify such wise and judicious action as has been taken in Belgium with regard to the same subject.

Suggesting that you communicate the conclusions of the "Report," as found on pages 14 and 15 thereof, in writing, to the foreign office, together with as many of the extra copies which may be sent to you, under separate cover, as you think proper; and asking that you will express such appreciation by this Government of any temperate action of Switzerland in this regard, as may seem due,

I am, etc.,

JAMES G. BLAINE.

No. 135.

Mr. Mason to Mr. Hitt.

No. 43.] UNITED STATES CONSULATE,
Basle, June 22, 1881. (Received July 11.)

SIR: I have the honor to submit herewith a report of the systematic and persistent warfare that is made by certain interested persons in Central Europe upon the reputation of American canned meats. The report embodies a statement made by Councilman Ruloff before a recent session of the "Berlin society for the protection of public health,"

which is submitted as a fair example of official opposition encountered by American exporters of canned meats to this and adjoining countries. As Herr Ruloff's statement has been republished in Switzerland and used as a weapon of attack upon American meats, it is held to be pertinent to the scope and purpose of this report.

The export of canned meats, although a large and rapidly growing branch of American trade, concerns chiefly the cities of Chicago, Saint Louis, Kansas City, and Cincinnati. If, therefore, the Department should not regard the inclosed report of sufficient general interest to justify its publication among the consular reports, the undersigned would respectfully suggest that it be submitted to the correspondents of the Chicago and other Western journals, who may find in it facts of importance to their special sections.

I am, etc.,

FRANK H. MASON,
Consul.

[Inclosure in No. 43.—Report.]

AMERICAN CANNED MEATS IN EUROPE.

Attention has been invited in various dispatches from this consulate during the past six months to the methods by which certain interested persons persistently seek to discredit the canned meats, soups, etc., which have become such an important article of export from the United States to European countries. The extent and value of this traffic can be readily understood from the statement that a single firm in Chicago sends to Europe annually more than $5,000,000 of canned meats. These goods include mainly canned beef, tongues, meat soups, and minced ham, all of which are thoroughly cooked and prepared for immediate use. Their superiority over all other conserved meats of similar kinds is so well recognized that they are rapidly driving all other canned meats out of competition. Naturally, therefore, they have awakened an enmity among the local European butchers, sausage makers, and meat dealers, which exceeds in vigor even the hostility of the same class of persons toward American pork.

Since the vigorous and effective action of the United States Government in vindicating the purity and excellence of American pork, the attack upon canned meats has been renewed with new and desperate energy. It is understood here that whereas the export trade in hams, bacon, and lard is a traffic of national proportions and interest, and therefore readily susceptible of governmental investigation and defense, the trade in conserved meats is a specialty in the hands of a few individual firms, and may therefore be attacked with impunity.

The methods by which this warfare is conducted, and the extraordinary lengths to which it is now being pushed, may be partly illustrated by a speech recently made by Alderman Ruloff in the sanitary council of Berlin, and reported at length in the *Fleischer Zeitung* of June 8. The *Fleischer Zeitung*, it should be understood, is the organ of the butchers' profession and interest for the whole of Central Europe. It circulates among butchers and meat dealers of all classes throughout Germany, Austria, and Switzerland, and extracts from its vindictive and reckless diatribes against American meats are constantly found copied approvingly in the daily journals of all these countries. To such a journal the official tirade of Councilman Ruloff was naturally a most important utterance, and it was published with great prominence, as follows:

AMERICAN PRESERVED MEATS.

In the last session of the "German society for protection to the public health" Mr. Alderman Ruloff gave an interesting discourse on the above subject. Basing his statements upon thorough examinations and elaborate experience, he explained the serious dangers that may result from eating animal food; the readiness with which the diseases of animals can be communicated to persons, and the absolute necessity of rigidly discarding the flesh of diseased animals as human food. "In America," said he, "*not the slightest inspection of animals takes place or can ever be effectively established. Even the meat itself is not examined*, and except in rare cases it is therefore impossible to prove instances in which meat has actually been made from diseased animals. In our own country, on the contrary, the system of governmental control

and inspection being so perfect, the danger of encountering diseased meats is reduced to a minimum. * * * The danger consists not only in trichinæ, but from the numerous diseases which prevail among American cattle, and which are even still more dangerous to human health. Besides splenitis and erysipelas, there exists there another disease, *the so-called 'hoof distemper,' which is so fatal that in the State of Illinois alone there died from it in one year* 1,000,000 *swine, and it may be asserted with entire certainty that the flesh of these animals was converted into canned meats!*

"Among American cattle malignant epidemic maladies are not less prevalent, and especially so is the so-called 'Texas fever,' a disease akin to rinderpest, which is a universal scourge. *And since beef cattle have a higher value than hogs, this disease can lie latent in them longer than in swine. So also there can be no doubt that the flesh of these animals becomes 'corned beef.'* Moreover, Chemist Meier has discovered in a box of corned beef 99 milligrams of lead.

"During the transportation of cattle from the States of Texas, Kansas, and Colorado to Chicago, where the conserved meats are chiefly prepared, a distance of about 1,500 miles, they are inevitably exposed to various contagious diseases, so that it is undoubtedly true that a large proportion of the cattle whose flesh is converted into 'corned beef' are infected with malignant diseases.

"All this must be true, since it is asserted by even the Am erican press, which further assures us that horse-flesh is also used for the same purpose. But since the virulent contagious matter is not destroyed by the process of preparing canned meats, the question appeals to us: Are we obliged to use this corned beef, and is its consumption really a measure of economy? The answer is inevitably, *No*, since recorded facts prove that in several cases persons having eaten these conserved meats were made ill thereby, and, moreover, because a can containing 2 pounds of meat, and which costs 43 cents, is much more expensive than the same quantity of equally good native meat.

"The form of these meats has, however, so many advantages that it is highly desirable to establish here the same industry, which shall provide for public consumption meats not only cheap, but securely wholesome and pure."

This is no mere accidental statement, made by an irresponsible person, and incidentally printed among the news of the day, but the deliberate utterance of a recognized official, made in the presence of the highest public sanitary tribunal of the German capital, and conspicuously published by the leading organ of the butchers' interest in Europe. It puts an effective official weapon into the hands of every butcher or local meat dealer whose interests or prejudices impel him to join in the crusade against American conserved meats.

It is hardly necessary in this connection to point out the grossly ignorant and mendacious character of this remarkable utterance. The important fact, which closely concerns the entire canned-meat exporting interests in the United States, is that such statements are publicly made, published, and circulated almost uncontradicted, as a means of destroying confidence in American meats, and ruining the market for them. From the nature of the case, every package of conserved meat is in some sense a mystery. Its purity can be practically proven only by the test of eating. As an experiment merely, this process is not inviting and can never become popular. The successful introduction of conserved meats as a standard article of food depends upon the faith of the public in the integrity of the persons by whom such meats are prepared.

It is of the first importance to the tinned-meat exporters of the United States that they should unite in meeting misrepresentations like that quoted above, with clear and authentic statements, describing the methods by which cattle are brought to Saint Louis, Chicago, and other meat-conserving centers; how they are inspected, slaughtered, and their flesh cooked and canned. The precautions by which the danger of lead poisoning is now entirely obviated should also be fully described. The simple facts are sufficient, and will be effective, if they can be authoritatively stated and thoroughly published.

Dealers who offer American conserved meats for sale in Europe should be armed with facts to meet their detractors, and the public here should be taught that the reports of wholesale exportations of the meat of diseased animals are as baseless as the now exploded trichina panic of four years ago, and are inspired by the same motives.

FRANK H. MASON,
Consul.

UNITED STATES CONSULATE,
Basle, June 22, 1881.

No. 136.

Mr. Byers to Mr. Hitt.

No. 259.] UNITED STATES CONSULATE,
Zurich, June 25, 1881. (Received July 11.)

SIR: Referring to obstacles placed in the way of free importation of American pork into Switzerland, and especially as to this canton, I beg to state as follows:

There exists a government order here, dated May 27, 1878, forbidding the importation of hams, bacon, etc., whether from America or elsewhere, unless said importation is accompanied by a certificate that the meat is "healthy." If no such certificate is presented, the meat must then be submitted to a microscopic examination for trichinosis.

This certificate is to be charged for at the rate of about 25 cents a ham, thus precluding, as a result, a greater part if not all the profits expected on the sales.

In cases of German meat imports into Switzerland, the burden is not so great, as "health certificates," without microscopic examination, are easily obtained there, and pass the meat into this canton, in lieu of the official examination here—the heavy charge, too, of 115 francs on every hundred hams, is avoided.

The practice has been to be especially severe in the execution of this order as to *American* hams, as certain interested parties have frightened the population into the belief that eating American hams is simply to court death. The result is, American hams can scarcely be sold here at all, or, if sold, the dreaded word "American" is left of, and the meat is offered as coming from Germany.

I have endeavored to point out to the officials of the canton the injustice of their regulations, and, I am glad to say, with most favorable results. The authorities here to-day told me that in consequence of my representations, and of certain action of the general government, they will consider the order to which I have referred as *void* or *revoked*, and a proposition to revoke it formally will be made at once to the council. I think this will end all difficulty in the matter as to this canton. I am, however, of the opinion that the first time trichinosis is found in American hams the scare will be renewed, and severe regulations introduced again. I am further of the opinion that our Government should promptly resort to an official inspection at slaughter-houses of all meats exported.

Proper and careful inspections by American officials would probably be respected all over Europe. Without such action the misunderstandings and troubles of the past, as to exported meats, are liable to be renewed in an aggravated form.

I am, etc.,

S. H. M. BYERS,
United States Consul.

TURKEY.

No. 137.

Mr. Duncan to Mr. Payson.

No. 47.] UNITED STATES CONSULATE,
Smyrna, May 14, 1881. (Received June 11.)

SIR: Turkey also catches the contagion of *porkophobia* from France, and other European countries that have followed her lead, and forbids the importation of American salted pork into the Ottoman Empire.

This may be regarded as a most extraordinary solicitude on the part of the Sublime Porte for the health and well-being of her *Christian* subjects, quite in contrast with Sadyk Pacha's action at Scio, for it is well known that neither Turk nor Jew ever deigns to touch this polluted meat in any form. This action, then, is taken entirely in the interest of her Christian subjects. The Turks even propose to surpass the French in their zeal, in so far that they order all American pork already in the country to be seized and destroyed, while, I believe, the French Government consents to admit what was actually on the way. Thus one of the important items of American trade at Smyrna, and in the entire Levant, is destroyed as the result of the hasty and inconsiderate action, as it would now seem, of the French Government, for the other Governments have only followed in the wake of the French. Of course, if it be a fact that American pork is generally, or even very frequently, infected with trichinæ, and therefore dangerous to the public health, every government has not only the right, but it is its duty, to forbid the importation, just as it has the right to establish quarantine against contagious diseases. But if we can credit not only the official reports of several of our most distinguished consuls in Europe, but also so important and trustworthy a body as the chamber of commerce of Havre, the French Government would seem to have based its action on entirely incorrect information as to the actual condition of American pork. The latter body urges its own Government, as I see in the papers, to rescind its order entirely, on the ground that there was never any good reason for issuing it.

For the French Government still to maintain this order after all the information and evidence produced as to the perfectly healthy condition of American pork, and in view of the great damage it has already done, and is likely to continue to do, to an important article of American production and foreign trade, could hardly be construed otherwise than as an intentional hostility to important American interests; and she could not reasonably complain of any measures our Goverument might see fit to adopt in the interest of public health against adulterated French wines and brandies, which are universally admitted to be very injurious to health, propably much more so than our salted pork.

I am, etc.,

B. O. DUNCAN,
U. S. Consul.

No. 138.

Mr. Blaine to Mr. Heap.

No. 33.]

DEPARTMENT OF STATE,
Washington, May 27, 1881.

SIR: Your dispatch of the 6th instant, No. 7, reporting that the Turkish Government had prohibited the importation of American pork on account of its being infected with trichinæ, has been received.

In reply, I have to inform you that this subject has been carefully and thoroughly investigated by the Department, and a detailed report in regard thereto will be sent you as soon as published.

I may add, however, that there never was the slightest foundation for the reports sent abroad of the prevalence of that disease in American swine, which, on the contrary, have been found to be singularly free from anything of the kind.

The prohibitory measures adopted by Turkey in this matter are, therefore, unwarranted discriminations against American industry, which that Government should hasten to correct.

I am, etc.,

JAMES G. BLAINE.

No. 139.

Mr. Blaine to Mr. Heap.

No. 40.] JUNE 16, 1881.

(Instruction of same tenor as Mr. Blaine to Mr. Marsh, No. 778, June 10, 1881.)

No. 140.

Mr. Heap to Mr. Blaine.

[Extract.]

No. 34.] UNITED STATES LEGATION,
Constantinople, July 16, 1881. (Received August 6.)

SIR: I had the honor to acknowledge on the 4th instant the receipt of your dispatch, dated the 16th of June last, No. 40, relative to the order prohibiting the importation of American salted pork into Turkey, and of four copies of the report on the subject of diseased pork printed under the authority of the Department of State.

Having received no complaint from importers of American salted pork since the Turkish Government issued the order forbidding its importation, I ascertained upon inquiry that since I wrote to the minister for foreign affairs protesting against the measure the decree was allowed to fall into abeyance, and no further action was taken in the matter.

I was informed, furthermore, that a large lot of American hams that arrived soon after the date of the decree was, after passing the custom-house inspection and paying the duties, entered for consumption. * * *

As Mohammedans, they are personally disinterested in the trichina question, and perhaps think that it is a matter of little moment. * * *

I am, etc.,

G. H. HEAP,
Chargé d'Affaires ad interim.

VENEZUELA.

No. 141.

Mr. Plumacher to Mr. Hunter.

No. 94.] UNITED STATES COMMERCIAL AGENCY,
Maracaibo, June 19, 1881. (Received July 13.)

SIR: I beg to call your attention to the inclosed extract from a newspaper of this city, quoting from a Puerto Cabello periodical in regard to trichinæ recently discovered in hams at that port.

As you will observe, the article in question does not inform us whether

the hams were from Europe or the United States, but it is safe to say that an effort will be made by the German merchants of this country to make us responsible.

I have written to the consul at Puerto Cabello for details, in order to be prepared to combat the movement against American hams and bacon which will most likely be attempted at this port should the inclosed notice prove to be correct.

I have, etc.,

E. H. PLUMACHER.

[Inclosure in No. 94.—Translation.—From the "Ecar del Zulia," of Maracaibo, June 18, 1881.]

LOOK OUT FOR THE HAMS.

The "Diario Mercantil," of Puerto Cabello, says of the trichinæ:

"A friend of ours has brought us a piece of ham containing millions of these little animals. In view of the publications we have made regarding this matter, which occupies so much space in foreign periodicals, it should not be contemplated with indifference."

This also we believe and recommend.

DOMESTIC.

No. 142.

*Messrs. Armour & Co. to Mr. Logan.**

CHICAGO, *December* 15, 1881.

DEAR SIR: Referring to our recent letter to you requesting favorable action upon the matter of the repeal of the French prohibitory decree against the importation of American hog product, we beg to call your attention to the following cable dispatch received by us from Havre to-day:

> You must get your Government to use strong pressure. We repeat our advice hurrying. Our Government willing, but afraid of feeling in Parliament. They are kept alarmed by willful false statements. Whole opposition based upon corrupt, interested motives. Believe energetic American action greatly help our Government.

This is from the well-known house of Gabain Frères, of Havre and Marseilles; and as this house has been greatly interested in this subject, we know, from long acquaintance with them, that their report is trustworthy.

We hope you will be able to help us in this matter. The interests involved are very large, not only as far as we are concerned here in Chicago, but all over the Northwest. There can be little doubt, we think, but that if some action is taken as suggested in the letter sent you by us and others recently, good results will quickly follow; and we again beg to ask your co-operation in bringing about some vigorous action that will conform to the views of the West and represent their energy and vigor.

Yours, truly,

ARMOUR & CO.

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* Referred to the Assistant Secretary of State by Senator Logan.

No. 143.

*Messrs. Armour & Co. to Mr. Logan.**

CHICAGO, *December* 21, 1881.

DEAR SIR: We are in receipt of your favor advising us of your intention to take some action with reference to the French prohibitory decree, and are very much obliged for your assurance that this important matter will promptly receive your kind attention.

For your information and guidance, we beg to inclose a letter received by us to-day from Messrs. Gabain Frères, to whom we have previously made reference. This firm is well known in Havre and Marseilles, is perfectly trustworthy, and has been very valuable in bringing about favorable public action so far.

Yours, truly,

ARMOUR & CO.

[Inclosure.]

Messrs. Gabain Frères to Messrs. Armour & Co.

HAVRE, *December* 7, 1881.

DEAR SIRS: Your favor of the 17th to hand. We are making an attempt to get correct information about the state of the hog crop in France by sending out a series of questions to some 300 to 400 people, about 10 in each department of France, and shall see what result it leads to. We are not very sanguine of success, for the reason that the public in general are extremely ignorant of and still more indifferent to matters concerning the crop here, and it is difficult to get correct information even in quarters where folks *are* posted, for the reason that such people immediately suspect the inquirer to have some motive which they can't understand, and therefore make a point of giving him wrong information. However, we can but try it, and will let you know the result. In the meanwhile there can be no doubt that the number of hogs raised this year is larger than last, with the exception of some few districts, while the number of young pigs is reported as very large. Potatoes are extremely plentiful this year, and while last year young pigs were sold for next to nothing, they are fetching high prices this year, which shows that farmers mean to rear them, and have the food to do it with.

Concerning the decree, we suggested to you yesterday by cable that it might be a good move, and hasten a final settlement, if some member of your Congress were to bring the French prohibition question before the House of Representatives, and perhaps go so far as to move that the United States Government should be instructed to use reprisals against France if the vexatious decree were not withdrawn. From what we know of the present position of affairs, we believe such a step would greatly strengthen the hands of our minister of commerce, who, we believe, is willing to withdraw the prohibition, provided he can make sure of being safe from attacks from his adversaries. Mr. Chotteau has been using the argument of the probability of such action on the part of your Government with great effect, and the public in general would be much alarmed and speak out much louder if they saw evident signs of other interests besides those of the "pork butchers," as they call us, being threatened.

In the meanwhile all purchases of meats have stopped, awaiting the positive withdrawal of the prohibition.

Yours, truly,

GABAIN FRÈRES.

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* Referred to the Assistant Secretary of State by Senator Logan.

No. 5.

House Ex. Doc. No. 70, Forty-eighth Congress, first session.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING A COMMUNICATION FROM THE SECRETARY OF STATE RELATIVE TO THE RESTRICTIONS UPON THE IMPORTATION OF AMERICAN HOG PRODUCTS INTO GERMANY AND FRANCE.

JANUARY 31, 1884.—Tabled and ordered to be printed.

To the House of Representatives of the United States:

I transmit herewith, in response to the resolutions of the House of Representatives, the following report from the Secretary of State, with accompanying papers, relative to the restrictions upon the importation of American hog products into Germany and France.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
January 31, 1884.

The PRESIDENT:

There have been referred to the undersigned, for appropriate action thereon, the two following resolutions of the House of Representatives:

Resolved, That the President be, and he is hereby, requested to furnish for the information of this House, if not incompatible with the public service, all communications, documents, and papers in his possession relating to the exclusion of and restrictions upon the importation of American hog products into Germany and France.

Whereas Germany and certain other foreign Governments have interdicted the importation of the swine products of this country for the pretended reason that said products are not proper and wholesome for food; and

Whereas an invitation on the part of this Government to said foreign Governments to send agents here to test said products has been declined, thus indicating that the pretended reasons given for such interdiction are not real reasons; and

Whereas it is the duty of this Government to act promptly and with energy to resent the injustice done by said charges and to protect these great products from said imputation: Therefore,

Resolved, That the President of the United States is hereby requested to transmit to this House, if, in his opinion, it be not incompatible with the public interests, copies of any and all correspondence had by the State Department with all foreign Governments on this subject, together with any and all information that he may have bearing upon this question.

Regarding these two resolutions, jointly, as embodying the wish of the popular branch of Congress to be possessed of whatever may throw light upon the measures adopted by foreign Governments to the detriment of an important branch of the export trade of the United States, and, also, of all that may tend toward a just and effective remedy for such detrimental measures, the undersigned has endeavored to cover

the whole ground embraced by both resolutions, by collecting and submitting to the President, herewith, copies of all pertinent matter found of record in the Department of State, to the end that it, or so much of it as the President may deem proper, may be communicated to the House of Representatives in response to its requests; and in so doing the undersigned avails of the occasion to submit to the President, as briefly as possible, such considerations drawn from a general review of the action of this Government hitherto in the premises as seem to him appropriate to the understanding of the general subject in its international bearings.

The action of the leading Governments of Europe took shape between 1879 and 1881, and was practically simultaneous in several countries.

On the ground of the alleged frequent discovery of trichinæ in hog's meat coming from Cincinnati into Italy, the sanitary department of that Government issued an order on the 20th of February, 1879, prohibiting all pork imports of whatever character from the United States—a prohibition which was soon afterward, May 6, 1879, made general against all foreign pork. About September, 1879, the Hungarian council-general of public health caused a like prohibition in Hungary. Dr. Ludwig von Grosse, at the International Medical Congress of Amsterdam, in September, 1879, announced that the prevalence of trichinæ in pork products from America had led to consultation between the Austrian and Hungarian Governments, with a view to making the prohibition adopted in Hungary universal throughout the Austro-Hungarian Empire, which, however, was not accomplished until more than a year afterward. By an imperial decree of June 25, 1880, Germany prohibited the importation of chopped pork and sausages (but not of hams or bacon) from America. The French Government, as the result of the alleged discovery of trichinæ in some salt pork from America, issued a decree on the 18th of February, 1881, upon the advice of the consultative committee of public health, forbidding the importation of salt pork coming from the United States. This action on the part of France was followed by several other states of Europe, and Turkey and Greece excluded the pork products of the United states, professedly in pursuance of the French example. The consideration of the same measure in Austria-Hungary, pending since 1879, was closed by the promulgation March 10, 1881, of a decree prohibiting the importation of swine meat, lard, and sausages of every kind from the United States.

Efforts were made, for professed sanitary reasons, to effect like prohibitory enactments in Belgium and Switzerland during the same time, but those Governments, holding rightly that no danger from trichinæ attended the consumption of properly-cooked hog products, abstained from the interdiction sought.

Meanwhile, in England popular excitement arose in the early part of 1880, caused by the publication of reports by several British consular officers in the United States, alleging the prevalence of hog-cholera in the West to an unusual and alarming degree, and imports of live swine and swine products to the British islands were checked for a time, but no prohibitory legislation ensued.

Apparently confined at first to scientific and hygienic considerations, the movement soon took, in the great European countries, an interested commercial aspect. The Governments of France, Germany, and Austria seem to have become subjected to pressure from adverse quarters. On the one hand there became manifest a general tendency among men of science and practical economists to condemn the prohibition as un-

wise and needless. On the other, the local hog-raisers and packers raised objection to the admission of a foreign product which, from its nature and manner of packing, they alleged could not be subjected before entering into public consumption to the same methods of investigation which legislation had prescribed for native swine products. Thus, the question debated in the press and legislatures of France and Germany looked to determining whether the importation of pork products from the United States was or was not, in fact, a source of danger to the public health.

It now seemed no less the duty of the Government of the United States to investigate the question. A great industry, giving a prosperous export trade, had been declared pernicious to health, and its products debarred from use abroad. The same considerations of public health which operated to bring about total prohibition abroad made it necessary that the alleged perniciousness should be no less searchingly investigated at home.

As a preliminary step the Department of State in March, 1881, prosecuted an examination of the various phases of the pork industry in the Western States, from the raising of the hogs until their varied products are ready for marketable shipment. This investigation, made by Mr. Michael Scanlan, chief of the Bureau of Statistics of the Department of State, covered all the possible causes which might operate to render the product dangerous to health. It embraced the diseases of swine, hog-cholera receiving especial attention. The alleged prevalence of trichinæ among the swine of this country was rigidly inquired into. The results of that investigation appeared to the Department of State conclusive as to the healthfulness of a staple product consumed without evil consequences by millions of our own citizens. Not only were the asserted ravages of hog-cholera disproved, but it was shown that unusual precautions had been universally taken to insure that none but the healthiest animals should be slaughtered for packing. It was shown, moreover, that the existence of trichinæ in the hog, although detected by proper tests in sundry cases, was not as wide-spread as among the swine of other countries; and that a much greater immunity from trichinosis existed throughout the great pork-consuming communities of the West than in the rural districts of Central Europe, where none but native pork products entered into consumption.

The facts thus elicited warranted and constrained the Department of State to represent to the foreign Governments that the prejudicial judgment against the swine export of this country was *ex parte* and unfounded. How diligently the agents of this Department abroad have endeavored to overcome this adverse prejudgment is shown in the correspondence communicated herewith. The result has hitherto not been of such a character as this Government felt it had good right to expect.

In France the discussion has passed through several phases. The French Government showed an earnest desire to meet the problem in a just sense. Ministers, legislators, and the most eminent men of science there united in declaring their conviction that the use of American pork, in any of its exported forms, whether as fresh meat or prepared for keeping, was absolutely innocuous to health. Not a single case of trichinosis traceable to American pork had been observed in France for many years. It was demonstrated that cooking destroyed the communicable forms of the parasite in the rare cases where it was detected, Science asserted that even the low temperature of 158° Fahrenheit sufficed to kill the trichinæ. But the difficulty seems to have lain in applying to imported pork the same examination which sanitary regula-

tions provided for the native product. Various schemes of microscopic inspection on entry were devised, for the most part admittedly partial and fallacious, and all, according to the best judgment of this Government, needless, and serving only to impede a traffic which had been shown to be harmless. At length, in November last, the Government repealed the prohibition. The immediate consequence was the renewed agitation of the question in the French Chambers, and a very decisive vote against the removal of the prohibition. The Government of the Republic has therefore, with evident reluctance, been compelled to rescind its recent action, and, after a sufficient interval to admit of shipments which had been made on the faith of the revocation of November, the interdiction is restored from the 20th instant. The correspondence herewith submitted will enable Congress to judge impartially the course of the matter in France.

In Austria-Hungary and Italy the prohibition has been maintained. With Germany, the representations of this Government took a different, and to some extent an unusual direction. When, in February last, notwithstanding the proofs adduced to show that the restriction of pork imports into the Empire was not warranted by any state of facts known to prevail in the United States, but was rather at variance with the ascertained facts here, it was announced that the imperial Government was about to submit to the Reichstag measures of total exclusion. Reasoning that the emergency justified any and every mode of appeal to the sense of justice and equity of the German Government, against a measure believed to be no less injurious to the interests of the German people than to our export trade, the President directed that the imperial Government should be informed of his intention to appoint an impartial and competent commission to investigate the asserted danger of American pork products to health, with a view to ascertaining and promulgating the exact facts in relation thereto, and that it should be invited to send one or more experts hither to make such investigation, either separately or jointly with a United States commission. The invitation was declined, the reason briefly being that in a matter concerning domestic sanitary legislation the German Government could not enter into any arrangement which might imply an obligation on its part to accept and be bound by a state of facts existing outside of its jurisdiction.

The President has since appointed the commission then contemplated. It is composed of a representative of the New York Chamber of Commerce, Prof. Charles F. Chandler; a representative of the Chicago Board of Trade, Mr. E. W. Blatchford; two members nominated by the Commissioner of Agriculture, Mr. F. D. Curtis of Charlton, N. Y., and Prof. D. E. Salmon, the whole under the chairmanship of the Commissioner of Agriculture. In point of scientific competence and elevated impartiality the formation of the commission peculiarly fits it for the execution of its responsible task. To it should belong in great measure the shaping of the policy of this Government toward the pork question, in its domestic or foreign aspects.

In view, therefore, of the prominent part which the results reached by the pork commission must necessarily play in the further treatment of the question by the Executive or by Congress, the undersigned feels it incumbent upon him to advise that the President recommend Congress to abstain from any immediate legislative action until the report of the commission, soon to be presented, shall be before it.

In advance of such report, and indeed without any knowledge of its probable import or intimation of the suggestions it may offer, the un-

dersigned deems it his duty to lay before the President certain considerations prompted by the language of the resolutions to which he now responds.

The preamble to the second resolution above quoted indicates that Congress may feel impelled to take measures to resent the injustice which may be shown to have been done by the groundless charge that the swine products of this country are not proper and wholesome for food.

The President will see by the instruction of the undersigned to Mr. Sargent, of February 16, 1883, that there has been and is no disposition on the part of the Executive Departments of this Government to prevent or to remonstrate against or in any way to interfere with the right of the German Empire to exclude food the use of which would be deleterious to the people. The question to be carefully, frankly, and honestly met is whether the prepared meat products exported from this country are injurious to public health. We believe they are not, and have so represented it. On the contrary, all the facts which laborious and searching investigations have hitherto laid before us constrain the belief that such products are promotive of the public health in those countries into which they are imported. Diligent inquiry has been made, as the correspondence shows, to trace out the cause of the sickness imputed to the use of imported meats, and such investigations show, we think, that it is in no case attributable to the pork exported from this country.

Should it appear that the meat products of this country are, as we believe them to be, not deleterious, but promotive of health, it is believed that those friendly nations which have put forth decrees inhibiting the importation of our meats would annul those decrees. The undersigned is aware that doubtless in those countries there are producers of meats who would be glad of the continuance of such inhibition, because they would profit by avoiding the competition which our exports create; but he has no belief that they can or would have any controlling influence on the Governments of those countries. If, however, in the face of clear proof, elicited both at home and abroad, that our meet products are free from disease or communicable germs of disease—proof which might be established to demonstration by actual inspection, as well as supported by a knowledge of the precautions which surround the raising and packing industries here—any nations with which we are on terms of intimacy and amity should, by legislation, discriminate against the trade of this country rather than protect the health of their people, it would then be the province of the Executive to call the attention of such nations to the provisions of treaties, with the confident expectation that those treaties would be respected.

The President, in his message, recommended that in certain cases, such as when a foreign nation, by onerous storage charges, exorbitant penalties, differential duties in favor of a competing flag, or by the misuse of some other incident of commerce, discriminated against the United States, there might, by legislation analogous to sections 2502 and 4228 of the Revised Statutes, be vested in the President power to adopt, at his discretion, measures compensating for and countervailing such misuse of the incidents of commerce. It may be inferred from this that the suggestion extends to measures relating to the substance of commerce, and affecting our commercial relations with other nations.

It is submitted to the President that such measures are of an importance much greater than the administration of the incidents alluded to, and it would therefore seem to be proper that they receive the direct

consideration and determination of Congress, rather than that the subject should be disposed of by a reference to the Executive.

It seems, however, very plain that our policy in any event should be to prove that our meat products are wholesome. This the absence of trichinosis in this country, and particularly in our Army and Navy, where our meats are constantly used, goes far to demonstrate. Measures, however, might be taken to ascertain to an absolute certainty, by such means as a commission of scientists would devise, that our meats are or can be rendered innocuous.

With these observations the undersigned commits to the President the subjoined correspondence; taken in connection with the former correspondence communicated to the House of Representatives on the 26th of May, 1882, in answer to a resolution thereof (House Ex. Doc. No. 209, Forty-seventh Congress, first session), it is believed that it presents a connected view of the efforts of this Government to impress upon other countries the conviction it holds that the pork products of this country are not the means of disseminating disease and death they are represented to be, and to maintain the discussion of the international questions involved on the plane of disproving by fact and reason the sanitary argument put forth to justify the exclusion of those products from use as food in foreign lands.

Respectfully submitted.

FRED'K T. FRELINGHUYSEN.

DEPARTMENT OF STATE,
Washington, January 31, 1884.

LIST OF ACCOMPANYING PAPERS.

AUSTRIA.

No. 1.—Mr. Taft to Mr. Frelinghuysen, No. 26, November 28, 1882, with an accompaniment.
No. 2.—Mr. Davis to Mr. Taft, No. 22, January 19, 1883.
No. 3.—Mr. Davis to Mr. Weaver, No. 102, January 26, 1883.

BELGIUM.

No. 4.—Mr. Steuart to Mr. Davis, No. 105, November 20, 1882.
No. 5.—Mr. Wilson to Mr. Davis, No. 22, February 24, 1883.
No. 6.—Mr. Steuart to Mr. Davis, No. 116, April 12, 1883.

DENMARK.

No. 7.—Mr. Ryder to Mr. Davis, No. 206, April 5, 1883.
No. 8. —Mr. Ryder to Mr. Frelinghuysen, No. 15, April 28, 1883.

FRANCE.

No. 9.—Mr. Morton to Mr. Frelinghuysen, January 17, 1882. (Telegram.)
No. 10.—Mr. Morton to Mr. Frelinghuysen, No. 107, January 20, 1882, with an accompaniment.
No. 11.—Mr. Davis to Mr. Morton, No. 96, February 10, 1882.
No. 12.—Mr. Morton to Mr. Frelinghuysen, No. 130, February 28, with accompaniments.
No. 13.—Same to same, No. 138, March 17, 1882, with accompaniments.
No. 14.—Same to same, March 20, 1882. (Telegram.)
No. 15.—Mr. Frelinghuysen to Mr. Morton, March 22, 1882. (Telegram.)
No. 16.—Mr. Morton to Mr. Frelinghuysen, March 28, 1882. (Telegram.)
No. 17.—Same to same, March 29, 1882. (Telegram.)

No. 18.—Same to same, No. 146, March 31, 1882, with an accompaniment.
No. 19.—Mr. Frelinghuysen to Mr. Morton, No. 129, May 10, 1882.
No. 20.—Mr. Morton to Mr. Frelinghuysen, No. 191, June 27, 1882.
No. 21.—Mr. Frelinghuysen to Mr. Morton, No. 152, July 28, 1882.
No. 22.—Mr. Wilson to Mr. Davis, No. 12, December 4, 1882, with accompaniments.
No. 23.—Mr. Frelinghuysen to Mr. Morton, No. 207, January 17, 1883.
No. 24.—Mr. Morton to Mr. Frelinghuysen, No. 324, April 4, 1883, with an accompaniment.
No. 25.—Mr. Roosevelt to Mr. Davis, No. 99, April 11, 1883, with an accompaniment.
No. 26.—Mr. Morton to Mr. Frelinghuysen, No. 333, April 13, 1883, with an accompaniment.
No. 27.—Mr. Frelinghuysen to Mr. Morton, No. 267, April 26, 1883.
No. 28.—Mr. Wilson to Mr. Davis, No. 24, May 17, 1883, with an accompaniment.
No. 29.—Mr. Frelinghuysen to Mr. Morton, No. 294, June 22, 1883.
No. 30.—Mr. Brulatour to Mr. Frelinghuysen, No. 371, July 17, 1883.
No. 31.—Mr. Davis to Mr. Brulatour, No. 337, August 28, 1883.
No. 32.—Mr. Roosevelt to Mr. Davis, No. 126, September 26, 1883, with an accompaniment.
No. 33.—Mr. Frelinghuysen to Mr. Morton, No. 364, October 9, 1883.
No. 34.—Mr. Glover to Mr. Davis, No. 51, October 15, 1883, with an accompaniment.
No. 35.—Mr. Wilson to Mr. Davis, No. 30, October 20, 1883, with an accompaniment.
No. 36.—Mr. Morton to Mr. Frelinghuysen, No. 425, October 21, 1883, with an accompaniment.
No. 37.—Mr. Glover to Mr. Davis, No. 252, October 22, 1883.
No. 38.—Mr. Frelinghuysen to Mr. Morton, October 31, 1883. (Telegram.)
No. 39.—Same to same, No. 379, November 13, 1883.
No. 40.—Mr. Morton to Mr. Frelinghuysen, No. 445, November 15, 1883.
No. 41.—Same to same, November 27, 1883. (Telegram.)
No. 42.—Same to same, No. 452, November 29, 1883, with accompaniments.
No. 43.—Mr. Frelinghuysen to Mr. Morton, No. 393, December 7, 1883.
No. 44.—Same to same, No. 405, December 19, 1883.
No. 45.—Mr. Morton to Mr. Frelinghuysen, December 24, 1883. (Telegram.)
No. 46.—Same to same, No. 464, December 26, 1883. (Telegram.)
No. 47.—Mr. Frelinghuysen to Mr. Morton, December 27, 1883. (Telegram.)
No. 48.—Mr. Morton to Mr. Frelinghuysen, December 23, 1883. (Telegram.)
No. 49.—Same to same, December 28, 1883. (Telegram.)
No. 50.—Same to same, December 29, 1883. (Telegram.)
No. 51.—Mr. Frelinghuysen to Mr. Morton, December 29, 1883. (Telegram.)
No. 52.—Mr. Roustan to Mr. Frelinghuysen, January 2, 1884.
No. 53.—Mr. Frelinghuysen to Mr. Morton, January 2, 1884. (Telegram.)
No. 54.—Same to same, No. 413, January 2, 1884.
No. 55.—Same to same, No. 414, January 2, 1884.
No. 56.—Mr. Morton to Mr. Frelinghuysen, No. 466, January 3, 1884, with an accompaniment.

GERMANY.

No. 57.—Mr. Davis to Mr. Everett, No. 301, February 8, 1882, with an accompaniment.
No. 58.—Mr. Everett to Mr. Frelinghuysen, No. 298, February 23, 1882.
No. 59.—Same to same, No. 308, March 27, 1882, with accompaniments.
No. 60.—Mr. Brewer to Mr. Davis, No. 23, March 30, 1882.
No. 61.—Mr. Sargent to Mr. Frelinghuysen, No. 74, November 6, 1882, with accompaniments.
No. 62.—Same to same, No. 77, November 13, 1882, with an accompaniment.
No. 63.—Mr. Bailey to Mr. Davis, No. 86, November 20, 1882.
No. 64.—Mr. Frelinghuysen to Mr. Sargent, No. 66, November 28, 1882.
No. 65.—Mr. Sargent to Mr. Frelinghuysen, No. 85, December 11, 1882, with an accompaniment.
No. 66.—Same to same, No. 87, December 18, 1882.
No. 67.—Same to same, No. 90, January 1, 1883.
No. 68.—Mr. Wamer to Mr. Davis, No. 31, January 10, 1883.
No. 69.—Mr. Frelinghuysen to Mr. Sargent, No. 74, January 12, 1883.
No. 70.—Mr. Sargent to Mr. Frelinghuysen, No. 96, January 13, 1883.
No. 71.—Mr. Fox to Mr. Davis, No. 192, January 15, 1883, with an accompaniment.
No. 72.—Mr. Wamer to Mr. Davis, No. 32, January 22, 1883, with an accompaniment.
No. 73.—Mr. Frelinghuysen to Mr. Sargent, February 15, 1883. (Telegram.)
No. 74.—Same to same, No. 87, February 16, 1883, with an accompaniment.
No. 75.—Ms. Sargent to Mr. Frelinghuysen, No. 109, February 17, 1883.

No. 76.—Same to same, No. 111, February 21, 1883, with an accompaniment.
No. 77.—Mr. Frelinghuysen to Mr. Sargent, No. 88, February 21, 1883.
No. 78.—Mr. Vogeler to Mr. Davis, No. 77, March 3, 1883, with an accompaniment.
No. 79.—Mr. Sargent to Mr. Frelinghuysen, March 8, 1883. (Telegram.)
No. 80.—Same to same, March 14, 1883. (Telegram.)
No. 81.—Mr. Frelinghuysen to Mr. Sargent, No. 98, March 14, 1883, with an accompaniment.
No. 82.—Same to same, No. 99, March 14, 1883.
No. 83.—Mr. Sargent to Mr. Frelinghuysen, No. 121, March 15, 1883.
No. 84.—Same to same, No. 122, March 19, 1883, with accompaniments.
No. 85.—Mr. Bailey to Mr. Davis, No. 103, April 7, with an accompaniment.
No. 86.—Mr. Frelinghuysen to Mr. Sargent, No. 108, April 11, 1883.
No. 87.—Mr. Sargent to Mr. Frelinghuysen, No. 135, April 13, 1883, with accompaniments.
No. 88.—Same to same, No. 137, April 13, 1883.
No. 89.—Same to same, No. 145, April 28, 1883, with an accompaniment.
No. 90.—Mr. Eisendecher to Mr. Frelinghuysen, May 2, 1883.
No. 91.—Mr. Frelinghuysen to Mr. Sargent, No. 116, May 4, 1883.
No. 92.—Mr. Sargent to Mr. Frelinghuysen, No. 146, May 4, 1883, with an accompaniment.
No. 93.—Same to same, No. 147, May 5, 1883.
No. 94.—Same to same, No. 155, May 19, 1883, with an accompaniment.
No. 95.—Same to same, No. 157, May 21, 1883.
No. 96.—Mr. Davis to Mr. Sargent, No. 119, May 23, 1883.
No. 97.—Mr. Frelinghuysen to Mr. Sargent, No. 141, July 25, 1883.
No. 98.—Mr. Eisendecher to Mr. Frelinghuysen, July 27, 1883.
No. 99.—Mr. Frelinghuysen to Mr. Sargent, No. 156, October 9, 1883.
No. 100.—Mr. Sargent to Mr. Frelinghuysen, No. 201, October 15, 1883.
No. 101.—Mr. Smith to Mr. Davis, No. 104, October 17, 1883.
No. 102.—Mr. Frelinghuysen to Mr. Sargent, October 20, 1883. (Telegram.)
No. 103.—Mr. Sargent to Mr. Frelinghuysen, No. 204, October 20, 1883, with an accompaniment.
No. 104.—Same to same, No. 205, October 22, 1883, with an accompaniment.
No. 105.—Same to same, No. 208, October 26, 1883, with an accompaniment.
No. 106.—Same to same, No. 213, November 5, 1883.
No. 107.—Same to same, No. 214, November 12, 1883.
No. 108.—Mr. Frelinghuysen to Mr. Sargent, No. 169, November 27, 1883.
No. 109.—Mr. Sargent to Mr. Frelinghuysen, No. 218, December 1, 1883, with accompaniments.
No. 110.—Mr. Frelinghuysen to Mr. Sargent, No. 177, December 26, 1883.

GREECE.

No. 111.—Mr. Schuyler to Mr. Frelinghuysen, No. 8, February 10, 1883, with an accompaniment.
No. 112.—Mr. Frelinghuysen to Mr. Schuyler, No. 20, March 9, 1883.
No. 113.—Mr. Schuyler to Mr. Frelinghuysen, No. 29, May 17, 1883.
No. 114.—Mr. Davis to Mr. Schuyler, No. 33, May 28, 1883.
No. 115.—Mr. Schuyler to Mr. Frelinghuysen, No. 31, July 25, 1883.
No. 116.—Mr. Frelinghuysen to Mr. Schuyler, No. 5, September 18, 1883.
No. 117.—Mr. Schuyler to Mr. Frelinghuysen, No. 42, October 19, 1883, with accompaniments.
No. 118.—Same to same, No. 52, December 8, 1883, with an accompaniment.
No. 119.—Mr. Frelinghuysen to Mr. Schuyler, No. 48, December 19, 1883.

THE NETHERLANDS.

No. 120.—Mr. Eckstein to Mr. Davis, No. 261, January 11, 1883, with an accompaniment.

SPAIN.

No. 121.—Mr. Fairfield to Mr. Blaine, No. 176, July 16, 1881, with accompaniments.
No. 122.—Mr. Marston to Mr. Davis, February 18, 1882. (Telegram.)
No. 123.—Same to same, No. 76, February 14, 1883, with accompaniments.
No. 124.—Same to same, No. 77, February 19, 1883, with accompaniments.
No. 125.—Same to same, No. 78, February 24, 1883, with an accompaniment.
No. 126.—Mr. Reed to Mr. Frelinghuysen, No. 173, February 28, 1883, with an accompaniment.
No. 127.—Mr. Davis to Mr. Marston, No. 41, March 7, 1883.
No. 128.—Mr. Badeau to Mr. Davis, April 5, 1883. (Telegram.)

No. 129.—Same to same, No. 98, April 5, 1883, with an accompaniment.
No. 130.—Same to same, No. 105, April 10, 1883.
No. 131.—Mr. Frelinghuysen to Mr. Reed, No. 150, April 12, 1883.
No. 132.—Mr. Davis to Mr. Badeau, No. 40, April 18, 1883.
No. 133.—Mr. Frelinghuysen to Mr. Reed, No. 159, May 3, 1883.
No. 134.—Mr. Marston to Mr. Davis, No. 86, May 9, 1883, with an accompaniment.
No. 135.—Mr. Badeau to Mr. Davis, No. 147, May 25, 1883.
No. 136.—Mr. Marston to Mr. Davis, No. 88, June 8, 1883, with an accompaniment.
No. 137.—Mr. Frelinghuysen to Mr. Barca, June 14, 1883.
No. 138.—Mr. Barca to Mr. Frelinghuysen, June 20, 1883.
No. 139.—Mr. Frelinghuysen, to Mr. Barca, June 29, 1883.
No. 140.—Mr. Foster to Mr. Frelinghuysen, No. 40, July 28, 1883.
No. 141.—Same to same, No. 43, July 23, 1883, with accompaniments.
No. 142.—Mr. Foster to Mr. Frelinghuysen, No. 89, October 23, 1883, with an accompaniment.

SWEDEN—NORWAY.

No. 143.—Mr. Gade to Mr. Davis, No. 309, March 3, 1882.
No. 144.—Same to same, No. 313, April 12, 1882.

SWITZERLAND.

No. 145.—Mr. Byers to Mr. Davis, No. 285, March 24, 1882.
No. 146.—Mr. Mason to Mr. Davis, No. 146, September 25, 1883.

TURKEY.

No. 147.—Mr. Wallace to Mr. Frelinghuysen, No. 96, June 6, 1882, with accompaniments.
No. 148.—Mr. Frelinghuysen to Mr. Wallace, No. 68, June 29, 1882.

MISCELLANEOUS.

No. 149.—Mr. Frelinghuysen to Mr. Loring, *et al.*, July 30, 1883.
No. 150.—Mr. Frelinghuysen to Mr. Loring *et al.*, October 3, 1883.

CORRESPONDENCE.

AUSTRIA.

No. 1.

Mr. Taft to Mr. Frelinghuysen.

[Extract.]

No. 26.] UNITED STATES LEGATION,
Vienna, November 28, 1882. (Received December 16.)

SIR: Inclosed I send an article, cut from a leading journal here, evidently written in the interest of the producers of meats in the Austro-Hungarian Empire. You will observe that it is proposed to extend the prohibition heretofore existing against pork to beef, and to all kinds of American meat. I have called upon the foreign office to inquire as to the purposes of the Government in regard to this matter, but could get no indication that the Government had it under consideration at all. Yet there seems to be an expectation that the Government will adopt the suggestions of this article. Two gentlemen of this city, Austrians, who are importers of American meats, have called upon me to see what could be done to prevent the carrying out of this purpose. They were very much alarmed, and said that if carried out it would ruin their business altogether. I have thought it proper to call your attention to the subject and ask your instructions.

In this connection I should be glad to know what is the present position of the French Government on the same subject. * * * I hope that this Government has no purpose to extend the prohibition, as has been suggested, but that, on the contrary, it may be induced, on a more full consideration of the facts in the case, to rescind its order against our pork; but it would seem to require some attention at this point.

I ought to add that the doctor, Kammerer, who presented these propositions to the city council of Vienna, is the head officer of the sanitary department of the city. To us, who have so long lived upon American meats, without a thought of danger, or of any need of inspection, and who have had far more fears of being struck by lightning than of being made sick by eating American beef or pork, the idea of forbidding the importation of our pork or beef into European markets on sanitary grounds seems very absurd; but there is evidently a good deal of pains being taken to create apprehensions among the people of danger from eating American meats.

I am, etc.,

ALPHONSO TAFT.

[Inclosure in No. 26.—Extract from the Vienna Tagblatt of November 5, 1882.—Translation.]

MEASURES AGAINST TRICHINOSIS.

In the Rudolfs Hospital a death occurred recently caused by trichinosis, in consequence of which the city physician, Dr. Kammerer, submitted a memorandum to the city council containing precautionary measures to be adopted against the spreading of this dangerous disease.

The examination of the meat of slaughtered animals takes place at present, as is known, in the districts of Vienna, by market commissaries, who go to the respective parties after having been notified. This measure the city physician finds inadequate, since at present a reliable control over these slaughtered animals is lacking.

As the best measure against the sale of meat injurious to health, the city physician points out the extension of the law requiring the killing of hogs to take place in public slaughter-houses in Vienna and the suburbs, since by these means alone a prompt, unexceptional, and technical examination of the animals can be arrived at.

Already by the law of March 9th, 1866, published by the governor of Lower Austria, a proper inspection of meat conducted in conformity with the regulations is required, and stress is laid upon the public instructions concerning trichinosis published by the governor of Lower Austria in 1877, that the *exact microscopical examination will be possible only when public slaughter-houses shall exist everywhere, and slaughtering be allowed to take place only in such.*

The city physician makes the following suggestions in the interest of the public health:

First. The slaughtering of hogs in the houses of the respective trades-people should be prohibited, and the slaughter-house requirement should be extended, for the reason above alluded to, to the slaughter of hogs.

Second. That means should be adopted to establish this law also in the suburbs, where, until now, it does not exist (not even for oxen).

Third. For every slaughtered hog brought from the suburbs into Vienna, proofs should be adduced that it has been examined microscopically.

Fourth. For sausages and smoked meats imported from abroad, proof should be demanded, on passing the custom-house, that they are free from trichinæ.

Fifth. The import of meat, of whatever kind, from America (so-called canned meat, etc.), should be prohibited without exception, on account of unreliable control and doubtful origin.

Fatal infective diseases are likewise of frequent occurrence among American cattle, and the so-called Texas fever, a disease related to the *rinderpest*, has made sad havoc, and since beef has a higher value than hogs, and this disease may lie dormant for a long time in the animal, there can be no doubt that such meat is prepared as corned beef.

Aside from this, Mr. Mayer, a chemist, has shown the presence of *lead* in corned beef; that is to say, as much as 99 milligrams in one box. To this it must be added that even the American newspapers have pointed out the fact that not only horse flesh, but also the meat of diseased animals, has been used by the people in the business. Since the preparation of canned meat does not destroy the disease, the question is: Are we bound to the consumption of corned beef, and is the consumption of it a pecuniary advantage?

These questions must be answered in the negative. The first by the fact that frequent diseases have resulted from eating these conserves; the second, by the circumstance that the box weighing one kilo contains about seven hundred grams of eatable meat, which, with one mark and seventy-five pfennig is sold at a higher price than a domestic article of equal value. In Vienna, likewise, these conserves are met in the market, and most dealers in delicacies sell the box for one florin and twenty kreutzers, or much dearer than a domestic article of the same value. For these reasons the proposition of the city physician to prohibit the import of American meats of all kinds is no doubt perfectly justified.

No. 2.

Mr. Davis to Mr. Taft.

[Extract.]

No. 22.] DEPARTMENT OF STATE,
Washington, January 19, 1883.

SIR: I am in receipt of your No. 26, of the 28th of November last, in regard to the agitation now being developed in Austria-Hungary in the interest of the meat producers in that empire. You inclose an ar-

ticle from the Tagblatt newspaper, in which it is proposed to extend the prohibition at present in force against American pork to all kinds of American meat on the ground that beef as well as pork is liable to be infected with trichinæ. You state that on inquiry at the foreign office you could get no intimation that any such measure was at that time under consideration, but that the opinion appeared to be general that the Goverment would adopt the suggestion of the newspaper article.

In this connection you inquire the present situation of the pork question in France. * * * In reply I regret to inform you that the prohibitory decree in France is still in force. A bill to withdraw the decree and adopt certain microscopic examinations in its place was passed by the French Chamber, but was defeated by a small majority in the senate, and since that time no other action has been taken by the French Government in the matter. * * * The existence of trichinæ in beef has never before been suggested. It is, in fact, an impossibility, as the ox is purely herbivorous, and trichinæ are only (and that rarely) communicated among carnivorous and omnivorous animals.

I am, etc.,

JOHN DAVIS,
Acting Secretary.

No. 3.

Mr. Davis to Mr. Weaver.

[Extract.]

No. 102.] DEPARTMENT OF STATE,
Washington, January 26, 1883.

SIR: I have to acknowledge the receipt of your dispatch No. 274, relating to renewed attacks on American canned meats on the ground that they contain trichinæ. A recent death alleged to have been caused by eating such meat is, you state, made occasion for the renewal of the attack.

In reply, I have to say that the only hog products exported from this country in cans are such as are believed to be incapable of containing trichinæ in a form that could by any possible chance be developed into life. Our hog products exported in cans are such as lard, pickled feet, gelatine, &c., all of which have been subjected to such degrees of heat in the several processes required to render them merchantable as would destroy any germ, had any existed, but I understand that it has never been claimed that trichinæ have been found in any of the products just named. Consequently we expect the fullest proof that the person who died in hospital had trichinosis from eating American meats. * * *

I am, sir, &c.,

JOHN DAVIS,
Acting Secretary.

BELGIUM.

No. 4.

Mr. Steuart to Mr. Davis.

[Extract.]

No. 105.] CONSULATE UNITED STATES,
Antwerp, November 20, 1882. (Received December 2.)

SIR: I have the honor to inform you that the dealers in American meat on this market are very much agitated on account of a notice widely circulated by the German press to the effect that Prince Bismarck is preparing to offer a bill to the Bundesrath demanding the prohibition of the importation of American pork produce into Germany.

The Kreuz Zeitung, a prominent journal, says:

We hear that the bill has not yet been presented, but is under consideration by the Prussian Government. The examinations of the German imperial health office show that there is danger from the importation of American pork. It is proven that there prevails in America a disease among hogs called hog-cholera, and that thousands of hogs die with it. The owners of these dead hogs do not hesitate to utilize them and the result is that some of the product of these animals is sent into Germany for consumption.

* * * * * *

The whole scheme is an unjustifiable attack upon an innocent article of American produce, and the dealers on this side of the water, the men who have labored to build up this branch of American trade, are earnest in their demand that the United States Government should come to their rescue, and defeat the adoption by Germany of such an unjust and injurious measure. With France and Germany both closed against American pork by governmental prohibition, the large trade on this market would be virtually ruined, as only Belgium would be left to supply.

As it is, the trade has been very much depressed for more than a year by the high prices ruling in America; and now, just when great hopes for a full revival of business were cheering the dealers, comes this blow from Germany to paralyze the market. The same cause that made the trade so dull greatly stimulated the raising of hogs in Germany, and it is now, when the decline of prices in America revives trade and threatens to place the meat on the German market cheaper than they can produce it, that the cry of prohibition comes from a *sanitary motive.*

Antwerp, from being the most important distributing point on the continent for American produce and provisions, has a very material interest in this matter, and hence I venture to call attention to the danger that threatens this branch of our trade. When you consider that of the very large quantity of American meat imported into Antwerp, Germany takes about 80 per cent., you can readily see of what vital importance is the retention of such a customer, and what the result would be if this prohibitory measure should be carried out by the German authorities. The effect of the rumor at present is to stop all transactions; for as contracts have to be made in advance, dealers are afraid, in the possibility of losing such a customer as Germany, to touch the goods even at a very low price. * * *

In conversation to-day with one of my colleagues from one of the northern countries of Europe, he said that he considered the importa-

tion into his country from America of petroleum and pork to have been the greatest boon ever conferred upon the laboring class, and I think the same remark would apply truthfully to the same class in Germany.

I am, etc.,

JOHN H. STEUART,
Consul.

No. 5.

Mr. Wilson to Mr. Davis.

No. 22.] CONSULATE OF THE UNITED STATES,
Brussels, February 24, 1883. (Received March 13.)

SIR: In a report made to the Department June 14, 1881, on trichinæ spiralis in American pork, a subject then very much agitating not only the people of Belgium, but of this entire continent, I gave in connection with a brief history of this parasite and the previous panics it had produced throughout Europe, the result of my own microscopic examinations of several lots of salted meats said to be inported from the United States into this country. In that paper I not only expressed the opinion that the cyst of the parasite was its tomb, but that I believed it did not long survive in well-salted pork, and I now beg to say that after much subsequent study of this subject I very much doubt whether a single competent microscopist can now be found who will be bold enough to assert that he has discovered the encysted living animal in thoroughly salted hams or bacon.

As the whole question of the dangerous or harmless character of this class of our foreign exports is based upon the truth or error of this opinion, and as there is now an effort being made in Germany to interdict its importation on account of its assumed unsoundness, from my previous professional training and habit of investigating vital phenomena I have felt justified in expressing to the Department this, as I think, well-founded opinion, in the hope that it may lead to such investigations by more competent persons as will forever set at rest this frequently recurring and damaging fear of mortal disease from eating American pork.

The most panic-producing writers on this subject generally admit that it is from eating raw or imperfectly smoked or salted swine's flesh that the disease known as trichinosis usually results, and they further confess that when once the little animal is inclosed within the walls of its enveloping cyst its active life ceases, and that in whatever numbers found, it henceforth ceases to endanger either life or health. Yet with a rare inconsistency many of them claim that in this quiescent state it retains its vitality for a long period, even extending through many years. Of this fact there can, of course, be but simple conjecture, seeing that no observer can tell at what exact time the parasite has thus enshrouded himself. But opposed to this theory is that almost universal law of animal life that the longevity of the animal generally bears a direct proportion to the period required for its maturation. Now it is claimed by most trichinic observers that the process of generation and birth of this little animal invariably takes place in the stomach and intestinal canal, and that within a few days from its birth it has so maturated as to penetrate the walls of the intestines and rapidly make its way through the various intervening structures to the remote muscular tissue of the animal it infects, there to be speedily encysted

and endowed with a subsequent dormant existence of several years, during which time its presence occasions little or no inconvenience. Of this theory of the life and movements of this little worm I can only say that it involves an almost unparalled exception to the law generally regarded as determining animal life, and ought not be accepted but upon the most positive proof.

It may further be stated that the law governing parasitic existence in living tissue usually involves the speedy death of the parasite after the pabulum upon which it feeds has passed from under the domain of vital force; hence, unless this tiny worm constitutes an exception to this law, its life must be short after the organic structure upon which it feeds has ceased to live.

But however this may be, the fact remains, according to my observations, that this parasite cannot live in a tissue saturated with chloride of sodium, or common salt. If in this opinion I am mistaken, I can only say that I have failed to receive authentic proof to the contrary, and, until otherwise convinced, I feel it my duty to reiterate the results of my own experience and observations, and that is that I have never myself seen or found a microscopist who would declare that he had observed trichinæ in motion, or manifesting any other sign of life, when found in well-salted meats. I have myself been present when officially-appointed microscopists, at some of the abattoirs of this country, have been engaged in examining American pork for trichinæ, and have been invited by these gentlemen to see for myself through their microscopes the peculiar cell and spiral coil of the animal, but on carefully examining them I have only observed, blended with the tissues and minute salt crystals, the entombed animals, evidently as destitue of life as the structure in which it was embedded.

If, then, salt really kills trichinæ, and of it I have scarcely a doubt, it is evidently an injustice on the part of foreign Governments to lay an embargo on our pork product, which of all others, in order to secure it against decomposition on a long journey to foreign markets, is better salted than that of any other country. Seeing, then, that this question of whether common salt is indeed an effectual destroyer of trichina-life is one of such vital importance not only to our export trade, but also to the poor and laboring classes of all countries, I can not refrain from urgently suggesting to the Department the propriety of an exhaustive examination of the subject, for if it once becomes an established scientific fact that salt really does kill this parasite, and our packers and shippers will but properly salt their meat intended for exportation, foreign Governments will no longer be able to justify their prohibitive measures by an appeal to the danger of communicating mortal disease by the introduction of the already too-much slandered American pork.

Very respectfully, etc.,

JNO. WILSON,
United States Consul.

No. 6.

Mr. Steuart to Mr. Davis.

[Extract.]

No. 116.] UNITED STATES CONSULATE,
Antwerp, April 12, 1883. (Received April 27.)

SIR: In the March number of the American Mail and Export Journal I read with much interest an article entitled the "Pork Question Again," but it contains the following erroneous comparison regarding Belgium, to which I wish to call attention and to correct, as it weakens the force of the argument by greatly underrating the importance of Germany and France in our foreign pork trade.

The author gives a table of "exports of American pork products during the fiscal year ended 30th June, 1882," and adds, "It will be seen by the foregoing that the consumption of American pork products, outside of lard, in Germany and France is insignificant, both countries not consuming one-half of that of Belgium alone."

The mistake he made is in assuming that the total importation into Belgium is consumed in Belgium, whereas it is merely in transit, and from 75 to 80 per cent. of the bacon and lard coming from the United States into Antwerp is sold to and consumed in Germany; and the same comparison might have been made in regard to American hams, with France, as before her prohibition decree Antwerp had a large trade with Northern France in that article, but the consumption of American pork in Belgium is very trifling as compared with Germany and France.

Antwerp acts as the broker for a great part of Europe, and the large importations find their way here simply because this is the best market and the best distributing point on the continent.

Since 1880 the imports of American meat have fallen off greatly on account of the continued high prices ruling in America; but the amount imported into Antwerp during 1882, as shown by the table herewith inclosed, had a value of more than $5,000,000, and it is this large interest that makes the dealers here watch with anxiety the action taken by the European Governments affecting this interest, and also to see what, if anything, is to be done by our Government.

I have called attention a number of times, and do again here, to the fact that American meat has its value on this market as an article of barter and not as an article of consumption; therefore, Belgium being a kind of transit depot, the heavy importation here tends to increase and not diminish the importance of Germany and France, for they are the recipients and consumers. They are very important to our foreign pork trade, and their absence will be felt when we again have a large surplus crop at home.

I hope to see these arbitrary prohibition decrees kept in view, for it is a question affecting not meat alone, but may be extended with equal justice or injustice to any other of our products that may stand in their way.

The sanitary plea is, of course, an invention without reason and without truth, * * * and as for France, in a question of endangering the public health, so long as we continue to import and drink her *so-called* wines and brandies, she would have greatly the advantage of us, if all her ports were thrown open to our pork, and if it should be really much worse than they claim it to be.

I have, etc.,

JOHN H. STEUART,
United States Consul.

[Inclosure in No. 116.]

Import of bacon and lard into Antwerp, 1882.

Months.	Bacon.	Hams.	Lard.		
			Tierces.	Cwt.	Pails.
	Boxes.	*Boxes.*			
January	13, 854	456	16, 653	9, 800	1, 260
February	4, 064	315	1, 455	2, 335	1, 100
March	2, 045	356	4, 588	2, 220	.....
April	1, 062	200	4, 125	3, 444	.....
May	1, 889	363	3, 920	560	.....
June	3, 289	122	6, 235	1, 800	50
July	1, 558	260	5, 645	5, 400	.....
August	1, 342	170	1, 050	2, 800	.....
September	1, 089	.....	225	7, 200	.....
October	622	.....	1, 700	11, 200	.....
November	1, 260	.....	16, 552	4, 300	.....
December	992	.....	6, 825	6, 140	.....
Values	$1, 796, 374	$86, 230	$2, 896, 866	$384, 993	$32, 442

Total value, $5,196,905.

DENMARK.

No. 7.

Mr. Ryder to Mr. Davis.

No. 206.] CONSULATE OF THE UNITED STATES,
Copenhagen, April 5, 1883. (Received May 1.)

SIR: I have herewith the honor to hand a report on a subject which is at present creating considerable excitement amongst the agricultural classes in this country. I allude to an imperial decree lately enacted by the German Empire prohibiting the importation of live swine, pork, and sausages from the United States of America into the ports of the German Empire.

Fears seem to be entertained here that the very considerable export trade in these articles, which is now carried on from this country with Germany, may, at no very remote period and in consequence of this decree, be subjected to such regulations and restrictions as would materially interfere with this trade, and that for the important agricultural interests of this country it would be desirable that Denmark should also issue a similar prohibitory order against the importation of such stock from the United States. I do not, however, at present, anticipate any immediate danger of such prohibitory order being enforced; but should the German Government later on deem it necessary to place onerous restrictions on the trade from this country, under the plea that American swine and pork were being introduced into the Empire through this channel, great pressure would doubtless be brought to bear so as to compel the Danish Government to issue a similar degree of exclusion in the interests of their agricultural community.

In investigating the importance of this branch of Danish trade it will be found that the export of live swine is mainly directed toward Germany. Inasmuch as whilst the total export in 1881 of hogs and pigs from this country amounted to 253,294 head, of the value of $22\frac{2}{5}$ millions of kroners, of these no less than 237,118 head, of the value of $21\frac{1}{4}$ millions of kroners, were exported to the German Empire.

In the same year 979,000 pounds of pork and hams, of the value of 396,000 kroners, and 946,000 pounds of beef and sausages, of the value of 269,000 kroners, were likewise exported to the same country, giving a total export value of these articles of about 21,900,000 kroners. That a very considerable proportion of the live stock which is exported from Denmark to Hamburg is not intended for consumption in that Empire, but is again re-exported in a slaughtered state to Holland and to England, is not to be denied; but looking at the development which this trade has received in the latter years it is felt by the commercial and agricultural classes in this country that they can not at present afford to lose the market of Hamburg as a middle link in this trade; and that even supposing that other markets could be found for the absorption of their surplus stocks of live swine, this would, in the first instance at least, be attended with considerable pecuniary loss. At the same time, however, it may be presumed that Germany, especially at a time when their supplies from the United States are stopped, can not well afford to be deprived also of their supplies from this country, and that consequently they may not place further restrictions on this trade than may be thought absolutely necessary for the preventing of American produce being clandestinely introduced into the Empire through neighboring states. But if every shipment of swine or its products has to be accompanied by certificates and proofs of their origin, this will entail considerable expense, trouble, and loss of time.

Proceeding next to investigate the extent of the trade in these artices between the United States and this country, it will be seen that the importation of live swine, owing to the heavy expenses and risks attending the long sea voyage, may be classed as *nil;* whereas the trade in hog products has gradually been on the increase in the latter years, the importation of pork and hams in 1881 amounting to 4,175,000 pounds, of the value of 1,566,000 kroners; and of beef and sausages of 357,000 pounds, to the value of 98,000 kroners. It will thus be seen that a restriction simply confined to a prohibition of the importation of live swine would not have any injurious effects on the commercial relations between the United States and this country; and taking into consideration that the swine products are imported for home consumption, and not for re-export, thus tending to the welfare of the general community by lessening the cost of living, I am of the opinion that these views will tend to outweigh with the Danish authorities any pressure that might be brought to bear upon them from the commercial and agricultural interests for the furtherance of any such injurious restrictions.

The restrictive measure enacted by the German Empire under the pretense of sanitary reasons is but a flimsy veil, which might easily be torn into shreds; it has more the appearance of a sop to satisfy the clamors of the agricultural classes, which have no doubt been suffering from the bad harvests in the last years; but, fortunately, this class of the community in Denmark has, from various circumstances, certainly not been subjected to such unfavorable results as has been the case in most of the other European States, and consequently the Danish Government will be in better position to withstand similar pressure from this class of their community.

I have, etc.,

HENRY B. RYDER,
United States Consul.

No. 8.

Mr. Ryder to Mr. Frelinghuysen.

[Extract.]

No. 15.] LEGATION OF THE UNITED STATES,
Copenhagen, April 28, 1883. (Received May 14.)

SIR: I have the honor to refer you to my dispatch No. 206, addressed to the Hon. John Davis, Assistant Secretary of State, under date of the 5th instant, and to report now that the Danish Government, finding the regulations put in force by the German Government on the importation of live swine into the German Empire of such a character as to materially interfere with the trade, have proposed through their minister at Berlin to the German Government to prohibit the importation of live swine from the United States of America into the Kingdom of Denmark, providing the German Government would agree to remove the restrictions lately placed by said Government on the importation of live swine from Denmark into Germany. I was at first informed on good authority that the proposition from this Government to Germany was a general one with reference to the importation of pork produce from the United States, but on calling to-day on the foreign minister I found this to be a mistake. His excellency remarked that said proposition had only reference to *live* swine, and that it was very uncertain whether it would lead to any results. As no live swine are imported from the United States of America to this country, a restriction simply confined to a prohibition of this article would not have any injurious effects on the commercial relations of the United States and Denmark. * * *

I have written Mr. Sargent, our minister at Berlin, about this matter.

I am, &c.,

HENRY B. RYDER,
Chargé ad interim.

FRANCE.

No. 9.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, January 17, 1882.

Faure, under secretary commerce, thinks bill introduced in Chamber Saturday will result practically in free admission American salted meats. He had hopes early passage both houses.

MORTON.

No. 10.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 107.] LEGATION OF THE UNITED STATES,
Paris, January 20, 1882. (Received February 8.)

SIR: I have the honor to inclose herewith a copy and translation of a bill in relation to American salted meats, which was introduced in the Chamber on the 14th instant by Mr. Faure, deputy and under secretary of commerce.

This bill repeals the decree prohibiting the importation of American pork, and provides for its introduction into France upon certain restrictions which will, I believe, practically result in its free admission.

The minister in presenting this bill explained the reasons which dictated its action.

At the time the decree was issued, anxiety and alarm existed, microscopic examination could not be resorted to, and prohibition under the circumstances was necessary. But since that time nearly all the chambers of commerce of France have protested against the measure and the Government has been led to question seriously the propriety of maintaining it.

A careful examination elicited the fact that from 1878 to 1880, 95,000,000 kilograms of American pork were consumed in France without danger, and that Belgium, where the consumption is about six times as large as in France, and England, where it is eight times as large, did not suffer at all from trichinosis.

It was found besides that the cooking of the meat afforded an additional protection against trichinosis to the one already secured by its process of curing.

Upon the evidence of these facts the committee of public hygiene rescinded its former advice, and declared that, in its opinion, prohibition was unnecessary, provided the meat introduced into France was well cured. The Government, therefore, proposes the free admission of American pork upon the conditions stated in the bill.

It has taken nearly two years to establish the fact that the remonstrances which our Government made from the beginning to this unjustifiable measure, and which have been constantly pressed upon the French authorities by my predecessor and myself, were just and well-founded in every respect.

I regret that the bill proposed still maintains the prohibition of sausages and hashed meat, the reasons for which I do not understand. But, as the bill is, if its provisions are applied in a liberal spirit, as I believe they will be, our packers will have no reason to complain.

Mr. Faure expressed to me the opinion that the bill would pass both houses within four or five weeks.

* * * * * * *

I have, &c.,

L. P. MORTON.

[Inclosure in No. 107.—Translation.]

BILL ON IMPORTATION OF AMERICAN PORK.

The minister of commerce presented yesterday, in the name of the Government, the bill relating to the withdrawal of the decree prohibiting the importation into France of American pork. This is the text of this document:

ARTICLE 1. The decree of February 18, 1881, prohibiting the importation into France of salt meats of American production is annulled.

ART. 2. Salted pork of foreign production, accompanied by a certificate testifying that the meat has undergone a perfect preparation, and that it corresponds with the type known to commerce under the name "fully cured," can be imported into France.

These certificates will be made out in the places of their origin with promptitude, and at the cost of the parties interested, by local experts, whose qualifications will be attested and the signature authenticated by the consular agents of the Republic.

ART. 3. At the moment of the payment of custom-house dues in France the importers must prove that the meats which they propose to hand over for consumption are healthy; that they are in a perfect state of preservation, and that the salting is not defective.

This authentication will be made at the expense of the importers by inspectors appointed by the prefects of the frontier departments.

ART. 4. The present arrangements are not applicable to meats hashed and uncooked, such as different kinds of sausage (*saucisses*, *saucissons*, *cervelas*, etc.), nor to guts (*boyaux*) intended for culinary preparations, the importation of which into France is absolutely prohibited.

ART. 5. Will be punished by imprisonment of from two to six months, and by a fine of from 100 to 300 francs, those who will have brought into France uncooked and hashed pork, such as the various kinds of sausage (*saucisses*, *saucissons*, *cervelas*, etc.), or guts (*boyaux*), intended for culinary preparations, those who will have imported into France pork of foreign production which would not have been subjected to the inspection imposed by the present law, or which would not have been refused after examination.

In the two above-mentioned cases the imported meats will be, in addition, seized or destroyed.

The article 463 of the penal code is applicable in the cases provided for in the present article (fifth).

No. 11.

Mr. Davis to Mr. Morton.

No. 96.] DEPARTMENT OF STATE,
Washington, February 10, 1882.

SIR: I am gratified to learn from your dispatch No. 107, of the 20th ultimo, that it is very probable that the objectionable decree of the French Government against American pork will soon be repealed.

Thanking you for your full and interesting report on the subject,

I am, &c.,

J. C. BANCROFT DAVIS,
Acting Secretary.

No. 12.

Mr. Morton to Mr. Frelinghuysen.

No. 130.] LEGATION OF THE UNITED STATES,
Paris, February 28, 1882. (Received March 18.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 96, of date February 10, conveying the gratification of the Department for the information that the decree of the French Government prohibiting the importation of American pork would probably soon be repealed.

With the defeat of the Gambetta cabinet, which was pledged to the withdrawal of the decree, and the reinstallation of Mr. Tirard, who originated the measures of prohibition as minister of commerce, I regret to say that the prospects of an equitable and liberal settlement of this long-pending question are not now as favorable as heretofore.

The bill which was drawn up by the late minister of commerce, of which I gave you the substance in my No. 107, is still before the Chamber, and will not, I think, be withdrawn. But it is somewhat doubtful whether the committee to which it was referred will now report it favorably.

I must state that the renewal of the objection made to the importation of American pork is not to be attributed solely to the hostile influence of the minister of commerce, and of those who have adverse private interests in the matter, but mainly to the publication in some American papers of supposed fatal cases of trichinosis. These reports, which have been circulated unfortunately by the American Correspondence, a New York Franco-American weekly sheet, printed partly in French, are copied by the French papers, and its paragraphs upon American trichinosis have received a rather wide circulation. I inclose herewith, for your information, two of these paragraphs, which appeared in the Correspondence of January 28 and February 11.

Many people have called at the legation to ascertain if there was any foundation for these reports. I have not hesitated to declare that in my opinion they were spurious, and that there was nothing like an epidemic of trichinosis existing in the United States. It might, however, be useful if I could speak with official authority from the State Department in the matter.

I have, etc.

L. P. MORTON.

[Inclosure in No. 130.—Extract from the American Correspondence, January 28, 1882.]

TRICHINOSIS IN THE UNITED STATES—EXPERT INSPECTORS OUT OF THE QUESTION LEGALLY.

Like all Americans, we regret that the Chamber of Deputies did not instruct the Government to allow salt provisions from the United States to be admitted without restrictions, as we were in hopes that they would, and so expressed ourselves in our last number. We are confident, at any rate, that the French legislators will continue to overlook the publication in papers opposed to free importation of numerous cases of trichinosis; more, in fact, than have really occurred. Reliance can be placed upon our statement that there were only six cases last week, of which four were fatal, and but two this week; which shows conclusively that trichinosis is a scarecrow which has been made too much of.

We also expressed the apprehension that the Chamber of Deputies at Paris would take offense at being placed by the Government on the same level with American corporations, or even with the petty legislatures of separate States, with which it is proposed to treat (and not with the American Congress), for licensing, as experts, those persons in America whose duty it will be to issue certificates of the wholesomeness of such provisions as they may agree to admit into France. But it would appear, unfortunately, that such appointments as experts are contrary to the laws of the United States, as we are informed by a friend and correspondent who is a well known jurist, and was at one time a United States judge.

I call your attention to the text of the law as proposed, which will require the exporter to produce an inspection certificate from this side to identify the soundness of the provisions. It will be exceedingly difficult, if not impossible, to comply with such a requirement, for the simple reason that in this State and in Pennsylvania, if not in all the other States of the Union, there are no authorized legal inspectors. It is a matter of history that the inspection laws formerly existing in this country, requiring the inspection of exports and brands of the board on casks, barrels, or packages, hurt the sale of the article in the foreign market. It is unnecessary to detail the reason, but the abuse was so flagrant that in New York the constitution of the State forbid forever the appointment of inspectors or boards of inspection. And so it is in Pennsylvania. Whence is the exporter to obtain the inspection certificate demanded by the French law? In this country the purchaser must look out for himself. He has no other protection than the punishment of the person who, knowingly, sells putrid or unwholesome food. It is otherwise in France and other foreign coun-

tries, whose Governments deem it their duty to add to the common law requirements and *a priori* evidence that the article offered is sound. It is supposed that, perhaps, an inspection in the interior, or the place of manufacture, say at Cincinnati or at Chicago, etc., by private parties, would be sufficient. This is a delusive idea. The French bill requires the inspection by a competent, impartial, and disinterested expert, authorized by the local government; but, whilst there may be voluntary inspectors, they are not the class to which France looks for the protection of the lives and health of its inhabitants. In the next place neither of these centers is the point of export. The shipment to France is made here in vessels loading at this port. But pending the transit from the interior to the shipboard, on which the package will leave this country, there are so many opportunities of fraudulent marks, substitution of packages, and other tricks of trade, that the original certificate, if in all respects correct, would not be proof of the identity of the article finally consigned to Havre. Nor will the French consular certificate of authenticity of signature, etc., be of any avail. The French market still regrets with sorrow the certificate of authenticity of of the signature to a document, pretending to emanate from authority, that Fremont's notorious Memphis and El Paso Railroad was a duly recognized and salable stock at the regular New York Stock Exchange, a paper by which millions of French money were gathered for an unsafe and judicially fraudulent stock.

The only remedy for the free export of meat and provisions from here to France is the absolute and unconditional repeal of the existing ordinance. The Chamber will not permit a change which can easily be evaded by illegitimate means. Will it permit a trade in natural course? This is the question.

As we go to press we find the following dispatch published in all the New York papers of to-day (January 27), with displayed headings:

"FIFTEEN PERSONS POISONED—TRICHINOSIS CAUSED BY EATING RAW HAM—THREE FATAL CASES.

"MARSHALL, MINN., *January* 26.—Great excitement has been caused here by trichina poisoning from eating raw ham. Fifteen prominent citizens are afflicted, and three have died. An entire family, consisting of Mr. and Mrs. ———, &c."

Names and details are given. All which seems flatly to contradict those sanguine persons who, like ourselves, persistently maintain that the French Government ought to withdraw the prohibitive decree. It shows, at any rate, that the cases of trichinosis mentioned by us in our last number were not at all exaggerated. We say again that these are special and particular cases, and that they prove nothing in a general way. It should be noted that, in the above instance, those who died had eaten raw ham. In France it is always eaten cooked. Hence there is no cause for alarm. No uneasiness need be felt either about the lard in cans, prepared or purchased in quantities by leading speculators, such as Messrs. Armour, Fowler, &c., which they introduce in a roundabout way into France, where it is consumed without apprehension or suspicion of its American origin.

[Inclosure 2 in No. 130. Extracts from the American Correspondence of February 11, 1882.]

SPECULATION AND TRICHINOSIS.

The movement to bring about a withdrawal of the decree prohibiting the importation of American provisions into Europe, and particularly into France, continues to be carried on under unfavorable circumstances. As the American Correspondence has been predicting for a year past, the results have hitherto been negative. Matters are even worse at present, because speculation has thrust itself so deeply into this question which Mr. Levi P. Morton, the American minister, is trying so strenuously to settle, because he knows what privations the laboring classes in Europe and what losses the American cattle raisers are suffering, by reason of the prohibitive decrees. But the large speculators do not care much for that. Operators, for a rise, have published in certain papers that the decree had been abrogated in France by the Chamber, simply because a bill has been introduced by the Government, which will soon be buried out of sight, if people believe, in France, the exaggerated accounts of trichinosis published in certain other papers under sensational headings like the following:

THE POISONED FAMILY—THE AGONY ENDURED BY THE JAEGERS AT FORT WAYNE, IND.

[Official dispatch to the Evening Telegram.]

FORT WAYNE, *February* 9.—The News says, with reference to the Jaeger family, five in number, who are suffering from trichinal poisoning: "They suffer intensely. No immediate danger is anticipated; but their ultimate recovery is doubtful. The girl, aged fifteen, and her sister, aged five, are in a very bad condition. No hopes are entertained of their recovery. The balance may survive. The oldest child was work-

ing in the country, and came home to wait on the family, and ate once of the diseased meat. She has a very mild form of trichinosis."

It will be observed that this does not refer to the same case as that of which we deemed it our duty to publish the true particulars, because they had been too much magnified by some papers. These exaggerations originate with the bear speculators, who are well aware that if they should only hear in France of any new cases of trichinosis in this country they would never venture to withdraw the prohibitive decrees. For this reason we desire to caution the French public and Government once more not to attach any credit to exaggerated accounts like the above.

No. 13.

Mr. Morton to Mr. Frelinghuysen.

No. 138.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1882. (Received March 30.)

SIR: I have the honor to inform you that the committee to which the bill providing for the free introduction into France of foreign pork had been referred has made a favorable report, and that the question will come up in the Chamber on the 23d instant. All indications now point to the passage of the bill.

The Academy of Medicine, to which the Government has submitted the matter, has pronounced itself against the measures resorted to or contemplate for obstructing the importation of pork. I annex herewith a copy of the report of the academy, which has been kindly furnished to me by Dr. William E. Johnston.

The Academy of Medicine of France is an official body authorized to answer the questions on sanitary measures propounded to it by the Government, and its decisions, when uttered in a clear and decided manner, as in the present case, have great influence with the executive and legislative departments of the Government.

I have, etc.,

L. P. MORTON.

[Inclosure 1 in No. 138.]

W. E. Johnston, M. D., to Mr. Morton.

PARIS, *March* 16, 1882.

DEAR SIR: I have the honor and the pleasure to inform you that after a full discussion of the question of trichinæ, in connection with American pork at the National Academy of Medicine of Paris, a discussion which ran through several sittings, that body has come to a decision which fully justifies the views your legation has maintained on this question.

The Academy of Medicine of France is an official body authorized to answer in an official manner the questions on sanitary measures propounded to it by the Government, and its decisions, when uttered in a clear and decided manner, as in the present case, always meet with the deference on the part of the Government to which they are entitled.

I subjoin the declaration voted by the academy.

I have, etc.,

W. E. JOHNSTON, M.D.

Report at the National Academy of Medicine of France on the questions propounded by the Government of the necessity of an inspection of foreign pork.

[Read by Dr. Bouley, professor of Alfort, reporter of the special committee, February 28, 1882.]

The academy taking into consideration—

1st. That for a great many years American and German pork has been freely admitted into France, without having been submitted to any kind of inspection as regards trichinæ;

2d. That notwithstanding the very extended use which has been made of this kind of meat, especially in the army and the large manufacturing and industrial districts, the disease called trichinosis, with the exception of a single case, which was produced by indigenous pork, has not been observed in any part of France, although at the same time the attention of the physicians has been frequently called to that disease in Germany;

3d. That this immunity enjoyed by the people of France in regard to trichinosis is due without any doubt to their culinary habits, pork being never eaten in France without having been submitted to such a temperature in cooking as is incompatible with the life of trichinæ;

4th. That an efficacious microscopic inspection would be with difficulty applied to the enormous mass of ninety millions of pounds of pork, which is the annual amount of importation, and that in any case the inspection would not prove to be a certain guarantee of the innoxiousness of the pork as regards trichinæ, since the irregularity of the dissemination of trichinæ does not permit the conclusion that because they do not exist in one part they may not exist in another—

Is of the opinion—

That it is not necessary to submit imported pork to a microscopic inspection in order to prevent trichinosic infection, the culinary habits of the people of France being such as to demonstrate thus far that precautions used in cooking are sufficient to preserve them from the infection; and that it suffices to put them on their guard against the possible danger of the use of raw or incompletely cooked pork to point out to them by a special printed instruction these dangers, and to distribute these instructions through the aid of the Government agents to every part of France.

A minority report on an unimportant point was read by a member of the committee, and was rejected by the academy.

No. 14.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, March 20, 1882.

Pork bill comes before Chamber Thursday. Important to have cable from you denying reports of prevalence of trichinosis in United States.

MORTON.

No. 15.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

DEPARTMENT OF STATE,
Washington, March 22, 1882.

Health officer of Cincinnati certifies that records of that city, the center of pork trade, do not show a single case of trichinosis. Doctor Ranch, secretary health board of Illinois, reports only eleven deaths from trichinosis in whole State in sixteen years, traced in each case to eating raw pork. City physician of Chicago states records show only two cases there in four years, also due to eating raw pork. The places mentioned are the great pork producing and consuming districts of United States, while the whole country consumes more pork *per capita* than any other country.

FRELINGHUYSEN.

No. 16.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES.
Paris, March 28, 1882.

Pork bill, with microscopic amendment, passed Chambers. Vote on amendment, 256 ayes; 216 noes.

MORTON.

No. 17.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.—Extract.]

LEGATION OF THE UNITED STATES,
Paris, March 29, 1882.

The pork bill passed yesterday provides for inspection in France by experts appointed by minister commerce, who shall have the right to prescribe mode of examination. This last clause, which was introduced by amendment, has in view the re-establishment of microscopic examination. * * *

MORTON.

No. 18.

Mr. Morton to Mr. Frelinghuysen.

No. 146.] LEGATION OF THE UNITED STATES,
Paris, March 31, 1882. (Received April 13.)

SIR: I had the honor to inform you on the 28th and 29th instant by cable that the pork bill had passed the Chamber, with an amendment aiming at the re-establishment of micrographic examination. I transmit herewith copies of my telegrams, and a translation of the text of the bill as it passed the Chamber.

The amendment, introduced by the opponents of the free admission into France of our pork, is contained in the three last paragraphs of article 2. It does not provide in terms for micrographic examination, but the debates show that it is intended to secure that result.

The minister of commerce, Mr. Tirard, who agreed to it and has secured its passage, is well known to be in favor of this mode of inspection, and to hold that it is the only one by which any effective guarantee can be given. In a conversation which I had with him the day before the debate he expressed this opinion, and remarked that there was a strong prejudice in France against American pork; that it would find no sale, although it might be perfectly sound, unless some kind of inspection was required which would satisfy the public.

He discussed the question in a friendly manner, and intimated that the inspection, if required by the new law, could be made easy, and would become more and more so if all meats were found to be in a sound condition,

Mr. Achard, of Bordeaux, the chairman of the committee who reported the bill, during the debate read your telegram, a copy of which I had furnished him, denying the existence of trichinosis in the United States, and made an able argument in favor of his bill, claiming that the prohibition was unjustifiable; that our pork was pefectly healthy, and that even if it should be unhealthy, no inspection or examination of such quantities could be in any way effective. His speech is too long to be translated, but by referring to the Journal Officiel of the 28th and 29th, which goes regularly to the Department, you will find it in full, with the whole proceedings.

It is believed that the Senate will pass the bill without change.

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 146.—Translation.]

BILL PASSED BY THE CHAMBER.

ARTICLE 1. Salted pork meats of foreign production which correspond to the type known in commerce under the name of "fully cured," can be imported into France through places on the frontier of land and sea, which will be designated by decree.

ART. 2. At the moment of landing the importers must prove that the meats which they intend to hand over for consumption correspond to the aforesaid type; that they are wholesome; that they are in a perfect state of preservation, and that the salting of them is complete. This authentication will be executed by special experts.

These experts will be appointed by the minister of commerce, who will possess the right to direct such manner of examination as will appear to him necessary.

The cost of the service of inspection will be paid by the importers under conditions to be established by rules of the public administration.

The custom-house service will only allow the removal of the meats on the certificate of these experts establishing that they consider the condition required in the first paragraph of the present article.

ART. 3. The present arrangements are not applicable to uncooked chopped meats, such as small and large sausages, Bologna sausage, etc., nor to guts intended for culinary preparations, the introduction of which into France is absolutely prohibited.

ART. 4. Will be punished by imprisonment of from two to six months, and by a fine of from 100 to 500 francs:

(1) Those who will have introduced into France uncooked, chopped pork, such as large and small sausages, Bologna sausage, etc., or guts intended for culinary preparations.

(2) Those who will have introduced, or attempted to introduce, into France without submitting them to the verification prescribed by the present law of pork of foreign production.

In the two above mentioned cases the imported meats will be, moreover, seized and destroyed.

Article 463 of the penal code is applicable in the cases foreseen in the present article.

ART. 5. The decree of February 18, 1881, which prohibits the importation into France of salted pork of American origin is repealed.

No. 19.

Mr. Frelinghuysen to Mr. Morton.

No. 129.]

DEPARTMENT OF STATE,
Washington, May 10, 1882.

SIR: Acknowledging the receipt of your dispatch No. 163, of the 20th ultimo, requesting authority to draw on the Department for the sum of 235.50 francs for expenses incurred by your legation in translating and printing the report on American pork, I hereby authorize you to draw

for the above sum on this Department. I will thank you to send with your draft an account for the amount thereof, supported by proper vouchers.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 20.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 191.] LEGATION OF THE UNITED STATES,
Paris, June 27, 1882. (Received July 13.)

SIR: I regret to have to inform the Department that the pork bill, of which a copy was sent with my dispatch No. 146, of March 31, 1882, was defeated in the Senate a few days ago.

This result was quite unexpected. The bill had the unequivocal support of the Government, and of the Senate committee to which it had been referred. The chairman of this committee, Senator Wurtz, the eminent chemist and dean of the Academy of Medicine, reported the bill in the strongest language possible, showing, by conclusive proofs and arguments, that the trichinæ, wherever it existed, could not resist the double process of salting and cooking, and that, with a proper inspection, the introduction into France of our fully cured pork could not be attended with any danger or inconvenience. Mr. Tirard, the minister of commerce, advocated the passage of the bill on the same ground. The opposition, which came mainly from the hog-raising departments, contended that if there were no danger in allowing the free introduction of American meats into France the Government could remove the decree of prohibition without any law, and succeeded in defeating the bill by a majority of four votes.

* * * * * *

I have, etc.,

LEVI P. MORTON.

No. 21.

Mr. Frelinghuysen to Mr. Morton.

No. 152.] DEPARTMENT OF STATE,
Washington, July 28, 1882.

SIR: The Department learned with regret from your dispatch No. 191, of the 27th ultimo, that the pork bill had been defeated in the French Senate.

Approving of your action in having an interview on the subject with Mr. Tirard, the minister of commerce, I need hardly add an expression of my desire that you shall omit no proper opportunity to urge upon the French Government the withdrawal of the objectionable decree with reference to American pork.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 22.

Mr. Wilson to Mr. Davis.

No. 12.] UNITED STATES CONSULATE,
Nantes, December 4, 1882. (Received December 22.)

SIR: I have the honor to transmit herewith a report on the subject of the prohibition of American pork in France. I have found certain evidence, consisting of official communications and reports made by the chamber of commerce of this city, which represents a large pork interest, to the minister of agriculture and commerce at Paris, which I consider to be newly discovered and highly valuable. It declares the inability of the French pork manufacturers to compete with the like industry of the United States. It charges their failures to the competition from the United States, and says plainly that if the administration does not desire the disappearance of this industry from France it must aid the pork manufacturers by such action as will hinder, if not prevent, the (to them) detrimental importations from the United States.

I, of course, can not know that it was in answer to these appeals that the minister issued the decree prohibiting the entry of American pork into France, but it is a fair subject for argument. If this was true it shows that the decree was passed more in the interest of the pork manufacturers than for the benefit of the public health. I do not say that the evidence I have herewith presented proves this conclusively, but it certainly tends that way. It shows the interested appeals for aid by the pork manufacturers.

If this evidence shall be as convincing to the Department as it has been to me, it will open with renewed vigor the question of reprisals, and, looking to that end, I am preparing a report on the falsification and adulteration of French wines and liquors which I had intended to have included in this. I will send it as a supplement.*

MEAT PRICES IN FRANCE.

The prices paid in France for meats for the table are much higher than in the United States. In Nantes, a city out of the current of tourists, the prices of meats are higher than in the markets of either New York, Philadelphia, or Washington.

I furnish the market reports of November 10, 24, and December 1, for beef, veal, and mutton on foot; live-stock market.

Beef.—Average weight, 1,300 pounds; price, $97.50; per pound, 7.5 cents.

Veal.—Average weight, 140 pounds; price, $14.70; per pound, 10.5 cents.

Mutton.—Average weight, 100 pounds; price, $9; per pound, 9 cents.

Marche de la place Talensac—Abattoir.

Meat dressed and sold by the carcass or side:		Cents.
Beef	per pound..	12 to 16
Veal	do....	14 to 17
Mutton	do....	14 to 22
Pork	do....	10 to 13

*It comes immediately after this report.

Retail butchers' shops.

		Cents.
Beef:		
Soup-joint	per pound	20
Boiling piece	do	20
Roasting piece	do	20 to 27
Steak	do	30 to 50
Veal	do	20 to 27
Mutton	do	22 to 30
Ham:		
French	do	35 to 35
English	do	38 to 50
Bacon	do	30 to 35

The business of meat dealer, butcher, etc., is one of the best in France, and it is said that a reasonably sharp and saving butcher expects to retire at the end of ten years or less, with a fortune of from two to three hundred thousand francs. This of course has to be paid by the consumer in the high prices charged.

These prices prevent the use of meat among the common and laboring classes as a regular article of diet as known and practiced in the United States.

This state of things might be corrected by the competiton from importation, but France, as is well known, has seen fit to prevent competition so far as American pork is concerned by prohibiting its admission into the country on any terms; this on the *alleged* score of its *alleged* unhealthiness.

PROHIBITION OF AMERICAN PORK.

In this communication I propose to show some of the influences brought to bear to obtain and continue the decree of prohibition, and believe it will have an important bearing upon the action of the United States in respect thereof. The integrity of the French Government in passing the decree is no wise questioned, but the evidence will show, I think, that there were influences brought to bear upon it and its representatives other than those interested for the public health; influences in favor of the French hog; influences of self-interest endeavoring to procure prohibition, either directly by a decree or by a tariff making importation impossible, and thus to save from ruin a French industry which acknowledges itself unable to support itself without State aid, or to successfully compete with a similar industry from the United States. The evidence will show that this, even more than the health of the public, was presented and used to obtain the decree.

PORK AS EATEN IN THE UNITED STATES AND FRANCE.

Some preliminary propositions concerning the latter, the health question, I desire to present, not discuss. They must be admitted, they cannot be denied.

1. American pork is no more liable or likely to contain trichinæ than that of any other country. The parasite is introduced into the live hog through his stomach, and with, or by means of, his food.

The opportunity for its introduction is quite as good in Europe as in America. A hog will be a hog, wherever he is raised. He does not receive in France that care and attention as to either his food or cleanliness which will make him the superior of the American hog. The number of hogs in the United States cannot be much under 50,000,000; the principal portion of the pork produced therefrom is consumed at home, pork being one of the standard articles of diet of the people, and no cases of trichinosis are known in the entire country.

American pork is, in the United States, a cheap, healthful, and satisfactory food for the people.

If the same pork is not, or is reported to be not, equally healthful in France, the cause must be either the prejudice of the people, or their manner of cooking or eating the pork.

It is also true that the curing and preparation of pork for foreign markets in the great pork-packing establishments of the West is carried on with a care and attention not exceeded in the world, and which leaves nothing to be desired on the score of cleanliness or healthfulness.

The mass of the people in the United States bestow greater attention at greater expense, and are more fastidious as to the kind and quality of their food than the same class in Europe.

Much food here used would be rejected in the United States.

2. The science and experience of all countries teach that the only danger from trichinæ in any pork arises from the savage and barbarous practice of eating it raw; that it is quite as safe as other meat when eaten as is other meat and as becomes civilized beings; that exposure to heat of 60° or 70° Centigrade, less than necessary for proper cooking, is amply sufficient to destroy all vitality in the trichinæ, and render the pork innocuous.

The French minister of agriculture and commerce declared this, and recommended it in his circular of February 14, 1881, four days before the decree of prohibition. It is re-enforced by the latest French authority, report of the director of the municipal laboratory of Paris, for 1882, p. 442, analysis of food and drinks. Uncooked and uncleaned pork stand together. A person uncivilized enough to eat pork raw is in, or may be in, danger from trichinæ. One who eats it uncleaned is in danger from the bristles.

Uncooked and uncleaned pork are equally unhealthy, and equally disgusting; trichinæ and bristles equally dangerous when the pork be eaten raw or dirty.

I have but little patience with a people who require the prohibition of *all* of a certain kind of meat in order to preserve themselves from maladies arising from eating it raw.

The civilized world will agree that there is squeamishness and caprice in the policy of a Government which prevents its people from eating American pork, and yet permits its capital city of Paris to make a record of "meat consumed" during the past two years as follows: 1880, 9,012 horses, 307 asses, 32 mules; 1881, 9,273 horses, 349 asses, 31 mules.

HOW PROHIBITION WAS SECURED.

I now proceed with the evidence, heretofore mentioned, of the interested influences brought to bear to secure the decree of prohibition.

1. I find extending through the business community a general and wide-spread dislike and opposition to the American tariff, so far as it may affect any article exported from France, and a disposition to retaliate.

The report of Chamber of Commerce of Nantes for 1879, p. 14, on the subject of sardines, says:

> This industry demands that when the Americans strike our products with a duty of 50 per cent. *ad valorem*, and go with their salmon and other preserved fish to compete with our products, even to Australia, *that we should strike their products with an equal duty* on their entry into France.

The subject of the American tariff is fully considered in a communication set out at length in the report of the same chamber for 1878.

It was on the occasion of a meeting called to secure the influence of the same chamber in favor of the commercial treaty between France and the United States, well known in our country by the connection of M. Léon Chotteau therewith. The conclusion was against the treaty, because in the proposed tariff certain articles were to be admitted into France at a less rate than into the United States, notably silks, wines, brandies (spirits). They declare this inequality to be shocking and offensive (*l'inégalité la plus choquante organisée au préjudice du travail français*), and conclude with the hope they will never (*jamais*) find an assembly which will impose it on the country.

2. This feeling of dislike and opposition is intensified by the situation in regard to American pork. Here is shown the willingness to retaliate.

The failure of the French pork trade because of the competition of the United States and the agitation of the subject of state or legislative interposition and aid, dates as early as 1877, four years before the decree.

The Chamber of Commerce of Nantes, in its report for that year (p. 18, Part 1), complains to the minister of agriculture and commerce that, as to the bacon and pork for the navy, American pork received too much consideration and favor, and the home product not enough.

In the report proper (Appendix, pp. 18, 19) the pork industry is described as in a situation "deplorable."

The American bacon and lard are imported on such conditions as render competition on the part of our merchants nearly impossible.

The subject is continued in the report of the chamber for next year, 1879:

We have been repeatedly approached during the year 1879 by the pork and bacon merchants with complaints relative to the fatal consequences produced upon that industry by the insufficiency of the customs duty imposed upon American pork.

We have transmitted these complaints to the minister of commerce, insisting that they should be taken into serious consideration. Afterwards we addressed ourselves directly to the president of the tariff commission of the Chamber of Deputies,

The following is the letter written to him by us on November 6, 1879. This letter reviews and completes the observations we had submitted to the minister of commerce, July 18:

[The letter.]

NANTES, *November* 6, 1879.

MONSIEUR LE PRÉSIDENT: The attention of the Chamber of Commerce of Nantes has been brought frequently during several years to the prejudice which has resulted to our pork manufacturers from the tariff to which foreign importations of the same industry are subjected in France.

The origin of the crisis which has brought about the successive disappearance of our establishments goes back to the decree of October 5, 1854.

That decree provided for the admission in France of American pork on payment of a duty of 50 centimes per 100 kilograms (220 pounds), though the French pork had to bear a duty of 5 francs per 100 kilograms for the tax on the salt employed in its preparation. * * *

This state of things subsisted for a long time in spite of the protestations reiterated from the French pork manufacturers; and the anomaly of which they complained was never ended only by grace of the law of March 24, 1874, by which the duty on foreign pork was raised to 4.60 francs (92 cents). Unhappily the alleviation which should have been procured for our merchants by this return to a more equitable tariff was only momentary, and the situation has returned to its evil state.

The causes to which to attribute the present decadence of the pork industry are many, but we believe they are all founded on the competition with the pork made in the United States of America.

By the favor of nearly absolute freedom enjoyed by them during twenty years the importations have developed into proportions more and more grand, and when the tariff of 4.60 francs was established it had become impossible to divert this invasion of our market unless by more energetic means.

The stoppage produced by the law of March 21, 1874, was only momentary, as will be shown by the following table of the importation of salt pork and lard from the United States:

Our figures are extracted from the tables of general commerce of France; they represent the quantities consumed (special commerce).

Description.	1872.	1874.	1876.	1878.
Salt pork.....kilograms..	10, 229, 397	4, 079, 139	5, 269, 960	28, 102, 290
Grease and lard.....do....	19, 162, 711	10, 676, 562	16, 865, 569	34, 725, 635
Total.....	29, 392, 108	14, 755, 701	22, 135, 559	62, 827, 925

This considerable progression in the importation of American bacon and lard sufficed to give birth to a crisis in our similar industry, but the conditions following which were developed and the particular circumstances, of which we will say a few words, have greatly aggravated the effects:

The tariff of 4.60 francs which was laid upon American pork upon its entry into Franco represents scarcely, as we have said above, the tax on salt paid by our pork merchants (manufacturers) who found themselves in reality without any protection against the foreign competition.

Now to give the principal reason for the situation it will suffice to compare the price of sale in our own markets of the American products with the price (net cost) of French bacon and lard.

[Abstract taken June 30, 1878.]

	Francs.
American pork, price current at Havre.....	104.00
Pickled pork made at Nantes.....	135.19
Loss.....	31.19
American lard, at Havre.....	99.00
Lard made at Nantes.....	139.00
Loss.....	40.00

We reproduce here these figures, Monsieur le Président, extracting them from a letter which was addressed to Monsieur le Ministre last 18th July, and of which we remit you a copy; they will suffice to explain the substitution of the foreign for national products in the domestic consumption of France.

Still the superior quality of French bacon and lard, and particularly those of our region, will be in the nature of a counterbalance, to a certain measure at least, to the bait of cheapness of similar products from America.

Our products were in great demand by the merchant-marine; they made an object of regular exportation to the French colonies, and until lately many of our neighboring counties addressed themselves to our manufactories.

Actually the outlets to our trade are in a great part closed. The merchant-marine has been itself subjected to a crisis of extreme rigor, and like everything else, is condemned to the strictest economy. Our colonies, because of the tariff system which detaches them from their metropolis, import the American pork direct from that country, or else purchase, under the name of French pork, that which has nothing about it French but the brand.

As to the other foreign countries, it is, if possible, worse yet. Alarmed by the cases of trichinosis which had been pointed out to them, either in America or in the countries importing American pork, Italy, Portugal, and Greece have prohibited the entry of American pork, in any of its preparations, into their respective countries.

We communicate to you the text of the decision of those Governments on this subject.

We will remark, Monsieur le Président, that Italy and Portugal have not stopped with the exclusion of American pork, but have at the same stroke excluded French pork, though it has never had a single case of the terrible malady from which the country is so willing, and has such good right, to preserve itself.

As far as concerns Greece, the proofs demanded touching the origin of all other than American pork, and the suspicion in that country, which only imports these meats for their own consumption, renders the importation of our manufacturers extremely difficult.

It follows from this aggregation of circumstances, Monsieur le Président, that our pork manufacturers see themselves in competition with the supply of American products, which is here made the more considerable, as the other markets commence to refuse the suspected meats.

The French market escapes us at the same time as foreign markets.

Then, unless the Government and our parliamentary assemblies do not wish to aid in the disappearance of an industry as considerable as that of which we speak, it is

indispensable that it and they should come to its aid by an alteration of the customs duties.

It belongs, therefore, to the commission of which you are the president to appreciate the observations which to you have been presented by the delegates from this industry, and which tend to the elevation of the customs duty to 35 francs ($7) per 100 kilograms upon American pork and lard. * * *

[Continuation of report, p. 43.]

It is possible that the distrust excited by the American meats may be impressed with a certain exaggeration, but it is nevertheless true that the facilities of introduction accorded by us to their preparations injure our manufactures in a sensible degree in our domestic markets, and stop their exportation to foreign markets.

These things constitute for the pork industry of France an exceptional situation, and, as we have written to the minister of commerce, October 31, it is regrettable that an industry, of which the interests are attached so intimately to agriculture and the public health, should see itself sacrificed to the profit of a commerce in suspected products, and rejected for that reason by the neighboring countries.

Another part of the same report for 1879, speaking directly to the minister of commerce, etc. (Appendix, p. 19), says on the subject of "salt pork for the navy and merchant marine":

We can only repeat here what we said last year on the subject of this industry. The commercial outlets are nearly closed in France, because of the competition of the United States and by the distress of the merchant marine.

It will be vain for us to expect a foreign demand for an article which has failed in France. Our colonies are provisioned directly by the United States, and the European markets refuse in great part to receive any salt pork, in fear that it may be infected with trichinæ. America therefore causes our manufacturers a direct loss in substituting her products for our own in France and the French colonies, and an indirect loss in making them victims of the suspicions of which American pork is the object in Spain, Italy, and other countries. * * *

When the last of our manufacturers of salt pork shall have closed their doors, the administration will have lost the possibility of recourse to a co-operation of which the last war demonstrated the utility.

In the following year, 1880, the subject is again taken up by the Chamber of Commerce; and here let me remark that the report of the chamber consists of two distinct parts—one a report to its members and the public of its doings during the past year; the other, a report to the minister of agriculture and commerce, being a *résumé* of the past and recommendations for the coming year.

[Report for 1880, p. 37.]

We have renewed to the tariff commission of the Senate the observations which we submitted to the Chamber of Deputies, in the interests of the French pork manufacturers, the industry of whom is more and more menaced by the development of American pork.

[The letter.]

NANTES, *November* 18, 1880.

MONSIEUR LE PRÉSIDENT: The 6th of November, last year, we wrote to Monsieur le Président of the tariff commission of the Chamber of Deputies, to call his attention to the deplorable situation of the pork industry.

We have the honor to transmit the text of that letter, which is inserted in the works of our Chamber of Commerce for 1879, p. 39.

We can not, Monsieur le Président, but maintain the observations which we have suggested concerning the decadence of an industry heretofore considerable in our region. This industry is menaced with complete annihilation by the competition of the United States of America.

In effect, the introduction into France of the American salt provisions under the duty of 4.60 francs has a continually increasing importance.

From 4,000,000 kilograms, figures of 1874, it has attained those of 28,000,000 kilograms in 1878, and the table of "commerce general of France" acknowledges for the year 1879 an importation of 31,784,913 kilograms of salt bacon from America. These figures are of the "commerce special," and consequently represent the salt provisions for consumption.

It belongs to the Parliament to fix the limits of the protection, which is the legitimate right of the French manufacturers, but it is important to remember that the actual duty of 4.60 francs, which is imposed on the salt pork from America, makes no protection for our manufacturers.

This tax is paid on French salt pork as well as on that coming from America, and represents the impost on the salt employed in the preparation of the French meats.

Referring again to our letter of November 6, 1879, etc.

[Continuation of report (to minister), Appendix, p. 16.]

SALT PROVISIONS FOR THE ARMY AND NAVY.

The situation of our salt-pork industry is in no wise ameliorated. In the French market our salt pork is subjected to the competition with similar products from America, and is rejected in other countries, which, refusing to receive the American bacon infected with trichinæ, refuse ours also, for the reason that they can not distinguish by the eye the suspected meats freely introduced into France, whether for consumption or re-exportation.

The foregoing action of the chamber of commerce and the French pork manufacturers seems to have been legitimate, and, so far as appears, not a subject of complaint. It consisted of a declaration of failure on the part of the latter, an admission of their inability to compete with the United States, and an appeal for state aid in form ot a protective tariff increasing the present by 800 per cent., which would be, and was intended doubtless to be, equivalent to prohibition.

While trichinæ were mentioned in those appeals it is only incidentally, not as a reason for prohibition; no cases cited, and it is not pressed upon the attention of the minister of agriculture and commerce.

The manifestoes were addressed both to the minister and to the tariff commission, the latter having then under its consideration a complete revision of the French tariff, which culminated in the law and decree of May 8, 1881.

The commission and both chambers remained deaf to all these appeals, decided in favor of cheap food for the people, made no change in the duties on American pork, and refused the desired aid to the French pork manufacturers.

The minister then took the matter in hand and the result was the two decrees of February 14 and 18, 1881, the latter being the decree of prohibition.

What relation there may have been between the appeals of the French pork manufacturers and what influence the demand for aid to prop up and save from ruin and disappearance a French industry may have had upon the passing of the decree of prohibition I have no knowledge, but two things seem certain: (1) That these appeals for aid were made or communicated to the minister; (2) that the decree passed gave to the French pork manufacturers the desired state aid in a manner equally if not more effective than that of prohibitory tariff, which had been refused.

The circular of February 14, 1881, and the decree of prohibition four days after, February 18, are doubtless well known to the Department and need not be herein set forth, but as pieces of evidence they are valuable, for considered together and unexplained they are anomalous if not contradictory.

The decree of prohibition having been passed and the end of the French pork manufacturers attained, to even a higher degree than they had asked in these communications, their only care now was to guard and protect the decree and its operations, the former from recision, the latter from infraction.

I continue my translation of evidence from the same chamber of commerce written just after the passage of the decree:

Opening our eyes to the dangers to the public health by the circulation of meats containing trichinæ, the government is interdicting their introduction into our country, yet the interdiction provides for no inspection of English meats. There is much to fear that the American products will continue to be imported, at least in a certain preparation, under the denomination of English products.

It belongs to the administration to baffle and thwart these frauds.

Then follows in the same old vein an appeal to obtain for the Nantes pork manufacturers the contracts for supplying the army and navy with salt pork and bacon.

At the close of the year 1881 the chamber of commerce, recounting the affairs of the year to its members and to the public, reports the following concerning my subject (p. 102, report 1881):

A decree dated February 18, 1881, rendered on the proposition of Monsieur Tirard, minister of agriculture and commerce, has prohibited the importation into France of salt pork coming from the United States of America.

This interdiction was moved because of the malady known under the name of trichinosis, with which the meats of that country were attacked or suspected.

The measure in question became attenuated in the practice by the creation of special laboratories charged with the examination and verification of salt provisions presented on our frontier.

Finally, to complete and generalize, within the necessary limits, the institution of these laboratories, Monsieur le ministre of commerce has presented, November 26, 1881, a project for a law providing for microscopic inspection.

Monsieur Tirard having been replaced as minister of commerce by Monsieur Rouvier, this projected law has been withdrawn by the government. On that occasion we submitted to the minister the following observations:

NANTES, *December* 3, 1881.

MONSIEUR LE MINISTRE: In the course of the session of November 21 last, monsieur le président of the Chamber of Deputies communicated to his colleagues the text of a decree by the terms of which "was retired the project of a law relative to the establishment of a service of inspection of pork coming from foreign countries, * * * presented to the Chamber of Deputies November 5, 1881, by the minister of commerce and of finance." The public has interpreted the act as a prelude to the abrogation of the decree of February 18, 1881, which interdicted in all France the importation of pork (salted) coming from the United States of America.

The projected service of inspection has the double purpose to guard the public health against the consumption of unhealthy meats, and at the same time to give satisfaction to certain commercial interests to which the absolute prohibition of American pork causes prejudice.

We regret, monsieur le ministre, that the greatest part, too much the greatest part, was made by or on behalf of that commercial interest aforesaid; for, as we have endeavored to show to you, the decree of February 18, 1881, responded also to serious and commendable interests.

Before the prohibition of salt pork from America was pronounced in France it had already been prohibited in many European countries, notably in Germany, Italy, Spain, and Turkey.

At the same time that they interdicted American pork they interdicted also French pork, not because it was considered as unhealthy (that was never suspected), but because France, receiving pork from America, to change the barrels or the marks was easy, and sufficed to make an error as to the true place of its manufacture when sought to be imported into these countries.

To preserve themselves surely from American pork they felt themselves obliged to interdict also French pork.

The pork manufacturers of our neighborhood have, then, demanded of us, monsieur le ministre, to represent to the government the grievous situation in which they are placed. Competition at home with American pork exempt from the duties on salt—they scarcely pay that much customs duty—and chased from the foreign markets by the fear which is inspired by these same preparations, our people lose their opportunity in the foreign markets, while the salt provisions imported from the United States to France are there consumed, which crushes the price of the French products.

In this juncture our fabricants must cease their work, and the closing of their manufactories will cause, or has caused, in this region much difficulty among our agricultural population. These things were known to and appreciated by your honorable predecessor.

It appears to us desirable, monsieur le ministre, before giving aid to the demands of, or in the interest of, the American pork manufacturers and importers, that the government render to itself an account of the conditions in which one of our national industries contests and competes for the furnishing of food for our country.

These conditions are truly painful. Then, when all the French products, and particularly all provisions imported to the United States of America, are subjected to an exaggerated and excessive customs duty is it a good title to enlarge the French market in favor of analogous products which come from that country?

Some persons have invoked the interest of the consumer as a justification for the proposed anomaly. Certainly no one would dream of proposing anything against the interest of the consumer, but will it be well served by giving encouragement to some exotic preparations that the most part of the countries of Europe hold in suspicion and the low price of which is definitely explained by their inferior quality?

We estimate and hope that such matters will not induce the administration to resign itself to the principle of *laisser faire*, and that it will preserve our nation by means of its attentive control against the allurements of cheapness of an article dangerous to the public health. In the present case the government in accomplishing this rôle will hinder a little, without doubt, the commerce in American provisions, but the measure which it will take can never be equivalent to the excess of protection in America, and we have nothing to fear from the pretended reprisals which, some people say, the United States may contemplate against our commerce.

We come now to demand of you, Monsieur le Ministre, not to welcome or receive the attempts that have been or will be made to obtain the abrogation of the decree of 18th of February, 1881.

The decree is, perhaps, susceptible of attenuations, and the projected law was prepared by your honorable predecessor to that end. Whatever measures may be taken by which its disposition will be replaced the Government will take account of the different national interests involved.

Those of the public health are here in accord with those of the French manufacturers and of the numerous workmen thus engaged and also the interest of the agricultural classes.

These will not be sacrificed, we have confidence, neither on the complaint of certain importers of foreign provisions nor from the chimerical fear of reprisals, nor yet from illusory hopes of a treaty of commerce with the United States.

In the same report, speaking directly to the minister, the Chamber says (pp. 11, 12):

> That the pork industry has not recovered from the situation *regrettable*, in which it has been placed for a long time by circumstances of divers natures. This situation would have been more unfavorable yet if the importation of American salt provisions had not been hindered or prevented by the measures of wise precaution to which the administration has had recourse for the preservation of the public health.

This ends the quotations, running through five years of reports, and ending only with that of last year, published last August.

To show the importance of the subject-matter, I have tabulated the importations of American pork and lard from 1872 to 1881—now, thanks to the decree of prohibition, I suppose, entirely ceased.

From 1872 to 1878 I have to depend upon the statements of the Chamber of Commerce, pp. 15, 16 of this report.

I have no means of verifying this. The returns from 1879 to 1881 may possibly contain some fresh meat. The *tableau général* of commerce does not give them separate, but the amount of fresh meat imported into France from the United States is very little.

Years.	Pork.	Lard.	Value.
	Kilograms.	*Kilograms.*	*Francs.*
1872 to 1878	47, 680, 886	81, 430, 477	180, 204, 304
1879	32, 594, 184	37, 229, 104	77, 888, 074
1880	34, 720, 221	42, 105, 990	83, 194, 067
1881	17, 699, 249	37, 290, 559	65, 870, 780
Total	132, 694, 540	198, 056, 130	407, 057, 225

Eighty-one and a half millions of dollars represents the pork and lard commerce of the United States with France during the period above

mentioned. The loss to the United States of this amount of French commerce is the effect and result of the decree of prohibition of February 18, 1881.

Thus is formulated in dollars and cents the complaint of the United States against France by reason of that decree.

The difference in price in favor of American pork and lard for the same period is stated, p. 16, by the Nantes Chamber of Commerce, at 31.69 francs per 100 kilograms of pork, and 40 francs per 100 kilograms of lard, so that—

Amounts.	Francs	Dollars.
132,694,540 kilograms of pork, at 31.69 francs	42, 050, 899	8, 410, 179
198,056,130 kilograms of lard, at 40 francs	79, 222, 452	15, 844, 490
Total	121, 573, 351	24, 254, 669

These figures show at a glance the difference in price between the American pork and lard during the period mentioned and the same amount of French pork. American pork and lard has undersold French pork and lard during that time by the amount aforesaid, and thus is formulated in francs (and dollars) the complaint of the French pork manufacturers.

This closes my evidence on this branch. It has been somewhat voluminous, but I have remembered, and have acted upon the rule of evidence which prohibits the introduction of a portion only, but requires the presentation of the entire document, so that no one can complain of unfairness in my having kept back any portion unfavorable to my side of the case.

These reports cover five years or more of time. There are many repetitions, but they are repetitions and reiterations of the objectionable argument, and prove beyond cavil the position of the Chamber of Commerce to have been inimical to the United States on the ground of self-interest, and that they sought to prevail upon the minister of agriculture and commerce to secure the intervention of the Government in their behalf, which was finally done by his decree of prohibition, and with which they were satisfied.

A summary of their position was as follows: The French pork manufacturers were in a failing condition, threatening to close their doors and suspend business; that the prime cause of their failure was their inability to compete, either in France or her colonies, with American pork manufacturers, who could undersell them at from 30 to 40 francs per 100 kilograms; that the situation has become "deplorable," and unless they received aid or protection from the Government which should hinder or prevent (*entraver*) the importation of pork and lard from the United States, their establishments must close, their workmen be discharged, and their industry disappear.

Whether these representations thus reiterated induced the minister to whom they were addressed to issue a decree of prohibition I suppose not to be susceptible of proof.

It is significant, however, and suggestive, that while the aid and protection of a high tariff should not have been granted by the Parliament, which would thus seem to have acted in the interest of the consumers rather than in the interest of the pork manufacturers, that the same benefits should have been granted to the latter much more effectively by the minister of agriculture and commerce by his decree of prohibition, though he based it upon different ground.

The benefits thus granted were thankfully accepted by the pork manufacturers, and they became at once the most ardent advocates of the decree and the most strenuous opponents of its repeal, strengthening the minister in adhering to the decree, and advising him not to yield to intimidation by the United States under any (to them) apprehended threat of reprisal, nor yet that he should be beguiled by any illusory hopes of a commercial treaty.

The right of the French Government to pass the decree of prohibition of American pork and lard, and the remedy of the United States against it, are questions beyond the province of a consul to discuss, and I shall make no attempt.

The Chamber of Commerce suggests the possibility of reprisals as a remedy. It is not unknown to me that a retaliation has been proposed by a prohibition on the part of the United States of French wines and liquors, and reports have been made touching their healthfulness, looking towards a prohibition on the same ground as the prohibition of American pork from France. If I were a statesman, as I am not, I should not seek for any such articles as would afford the excuse of unhealthfulness to justify the prohibition, but would choose one without any such cause, and prohibit its importation, calling it a reprisal, and placing it squarely on the ground of retaliation for the unjust prohibition of an equally healthful article of food from the United States into France.

But as French wines and liquors have been so mentioned, and might with great propriety be chosen as proper subject for reprisals, I submit the annexed report as to their effect upon the public health and *morale* in France.

I content myself with reporting such facts as I may be able to gather, without attempting any elaboration of argument, leaving that entirely to the Department, but endeavoring to place in its possession the material necessary to enable it to arrive at a satisfactory conclusion.

THOMAS WILSON,
Consul.

ADULTERATION OF FRENCH WINES AND LIQUORS.

[Continuation of Consul Wilson's report on American pork *versus* French wines and liquors.]

SECOND PART.

That the unjust prohibition of the importation of American pork into France, made, as it was, under the plea of public health, but in effect protecting French pork manufacturers, continued, as it has been, when every explanation and proof as to healthfulness and cleanliness has been made public, might be followed by a policy of reprisal by the United States Government against some article of French manufacture should not be unexpected.

The French have themselves suggested this possibility. (Chamber of Commerce, Nantes, 1881.)

This portion of this report is intended to deal with this question in its relation to French wines and liquors to show that they have been adulterated, have been made deleterious, if not poisonous, and as such exported to foreign countries, the United States among the rest; and if the policy of reprisal should be adopted, that French wines and liquors, as at present *manufactured*, would be a proper subject.

The evil effects of adulterated wines and liquors in France might be compared with those charged by France to trichinosis in American

pork. The magnitude of the one and the insignificance of the other may be shown at a glance, and will be apparent on a moment's consideration.

Take the crimes perpetrated, the punishments inflicted, the deaths caused, the suicides committed, the insanity produced (quite as grave effects as can be attributed to any cause) by the consumption and use of wines and liquors in France only; waive the amount of unhappiness and misery caused, the degradation produced, the blasted hopes, the ruined families, because they can not be calculated; take only those susceptible of being taken from the statistics of crime and compare these with the entire number of cases of sickness or death arising from trichinosis caused by the consumption and use of American pork, and the difference becomes apparent at a glance.

CRIMES OF DRUNKENNESS IN FRANCE.

Evil effects in France onlg arising from the improper use of wines and liquors, compiled from the latest official reports taken for 1880, *or the yearly average.*

	Year.	Page.	Number.
1. Crimes committed while under the influence, waived because the statistics are not specific	.....	.....	.....
2. Accidental deaths	1880	205	449
3. Misdemeanors combined with and aggravated thereby; disorderly street rows in the night; fights	1880	25	785
4. Simple cases of excessive drunkenness; yearly average convictions since	1873	77	422
5. Suicides arising from excessive use; yearly average since	1875	.....	799
6. Insanity from alcoholism (I have not the exact figures, but it is 14 out of every 100 cases), yearly average cases	.....	104	455

These are the figures at the minimum, and from them it will be apparent at a glance that there are a greater number of cases in France in one hour, possibly in one minute than there are of trichinosis in a year. The wider the comparison is extended the greater and more apparent becomes the difference. So that if the policy of reprisal shall be adopted by the United States and placed, as was the prohibition of pork in France, on the score of public health, the choice of wines and liquors as its subject would seem to be justified to such extent as that France could be estopped from making any complaint.

HOW WINES AND LIQUORS ARE ADULTERATED.

The successful adulteration of wines and liquors requires both the professional learning of the chemist and the technical knowledge and experience of the wine merchant.

Prohibited by law, rejected by the public when known, it will only be performed in secret and as one of the mysteries of the laboratory.

To discover and detect it in particular or specific cases requires professional knowledge of a high order, the possession of that sharpened, educated, or, rather, experienced taste which is almost equivalent to a sixth sense, and to these must be added the authority of the law by which private premises may be invaded and private property examined.

Few persons in France combine these qualifications, and I make no pretensions to be one of them. I shall not attempt to give private or secret information, nor to make specific or particular examinations.

Everybody knows, or says, that the wines and liquors of France are adulterated, and they deprecate it, but the consumption and use of the adulterated article goes on much the same as if no adulteration existed.

I shall endeavor to give some information from statistics furnished by French authorities, and so not to be controverted, showing the extent to which this adulteration is carried, and in some slight degree its effect upon the people. It would be aside from my purpose to make, or allow to be made, any comparison of French liquors with those of the United States, or to assert that ours are better than theirs. Our liquors in our own country are our own affairs. Not until we seek to introduce them into France will she have a right to complain of their quality or examine as to their purity. Because of this condition as against France I exercise this right and make this report.

Other consuls have made reports on the same subject, and one of the leading journals in France in that interest, the Revue des Vins et Liqueurs, in its last number, has made these reports a subject of criticism in a long article entitled "The Hog and the Vine." In this article the questions put by the Department in its confidential dispatch to its consuls in France were quoted at length, and the whole subject of adulteration and reprisals argued from the stand-point of a French wine merchant.

Some of its admissions concerning adulteration and falsification of wines and liquors, coming with its authority, are valuable contributions to the side of its opponents. The editor advises naturally enough against reprisals by the United States. He says:

> These reprisals are of doubtful taste, and it is never prudent to enter on this path. What, for instance, would the United States say if, to their prohibition against wines, France replied by establishing an inspector against tinned meats, against grain cargoes No. 2, or cotton, products which the French and foreign trade, rightly or wrongly, accuse more or less justly of being adulterated by the American shippers.
>
> Were it not better, since the cause our friends sustain in demanding the abolition of the prohibitory inspection is a just one, to convince the French Government of its error, raise a movement of public opinion, and, lastly, have recourse to the regular means which their genius as a practical people may suggest to them?

Of course the policy of reprisal is not to be lightly entered upon, nor until the attempt "to convince the French Government of its error" be made and exhausted. This attempt has been continued for now nearly two years without any perceptible effect. How long would the Revue des Vins have it continue? And when all efforts have failed must it not end in reprisals as the means of redress? This has been admitted by the Chamber of Commerce of Nantes and now again by the Revue des Vins.

If the Revue objects to wines and liquors being chosen as the subject of reprisals, it and its friends of that interest might act on its own advice: "Raise a movement of (French) public opinion and convince their own Government of its error," secure the abolition of the pork prohibition, and thus prevent reprisals from either side.

The report of the consul at La Rochelle is noticed as follows, and it shows in some degree the effectiveness of the entire criticism:

> Alone, the *diatribe* of the consul at La Rochelle seems at first sight worthy of consideration, but we are obliged to challenge him on account of reasonable suspicion, for we believe we know him to be a native of Maine, and consequently a bigoted teetotaller.

"*Diatribe*" is a hard word to apply to a report made by a United States consul to his Government, but "let the galled jade wince."

The consul at La Rochelle needs no defense at my hands. He is well able to defend himself. Besides, that charge will do him no harm at his home and where he is known, and there none can be made which will do him harm.

I have cited this to enable me to discount any similar opposition which this report may meet, by saying in advance that I am in favor of temperance; that I am opposed to intemperance, and that I think it a dreadful evil, a crime justly punishable by law in France, entailing misery on its victims, unhappiness on their families and friends, filling the prisons, almshouses, and lunatic asylums, begetting a large portion of the necessity and the expense of criminal procedure in the state, and to be attacked and suppressed by any legitimate means which promise success. Is the Revue des Vins opposed to this? Does it favor intemperance? Holding this belief, yet I am not a bigot, and am willing to agree that the wines of France, in their purity, are healthful, palatable, and agreeable, and that the southern portion of France, where there is more wine raised either actually or proportionally than in any country in the world, is, without any temperance society, one of the most temperate, having in proportion to its inhabitants fewer cases of drunkenness, of crime, of accidental death, of suicide, or insanity from the use of spirituous or alcoholic liquors than almost any other. If I were writing an article on temperance I would elaborate and prove this statement. I make this concession to the Revue des Vins, and close it by making my charge, *i. e.*, that the great curse and blight, and the one to be prevented, arises in France from the adulteration of wines and liquors otherwise pure, and the manufacture and doctoring of those inherently bad. Will not the Revue des Vins and the wine interest aid in its prevention, and, if so, are we not in accord?

A frequent response made to this charge, especially by French manufacturers to American importers or purchasers, is, that if the buyer will deal with only the best houses and is willing to pay for the best wines and liquors, he can always secure that which is pure, and will run no risk of getting adulterated or poisonous compounds. But this begs the whole question, for what should be required and enforced is that the wine merchant shall not be permitted to either make or sell those poisonous compounds, not even to those who from ignorance or cupidity might desire the cheaper article; that the drinker shall not be permitted to purchase, even though he may desire, poisonous compounds under the name of wine and liquors because he can get them at a low price. Least of all should the seller be allowed to sell them as pure. If there is demand for the adulterated, poisoned, or diluted liquors, let them be sold *as such*, and not represented and sold as pure.

A butcher will not be allowed to sell tainted meat, nor a baker bread made of alum, though they offer them never so cheap.

THE FAILURE OF THE WINE CROP IN FRANCE.

France is the greatest wine-producing country in the world. The total production and commerce in wine for 1882 amounted to 2,056,692,491 francs. One hundred years ago she produced 25,000,000 hectoliters. This increased in regular gradations until it culminated in 1875 in 83,632,391 hectoliters. The average crop from 1870 to 1875 was 58,000,000 hectoliters.

In 1879 commenced seriously the ravages of the national plague—the phylloxera. Without study one cannot appreciate the extent of the ravages, nor the great damage this inflicted on France. In 1879–'80 it utterly destroyed 1,250,000 acres of full-bearing vines. It seriously damaged about 1,250,000 acres more. It reduced the wine crop to 25,000,000 hectoliters in 1879, being a loss of about 800,000,000 gallons, to say nothing of Eaux-de-vie, Cognac, etc.

In 1880 the wine crop reached but 29,000,000 hectoliters, in 1881 to about 38,000,000 hectoliters, and in the past year, 1882, the same, 38,000,000, being less than half a crop for the past four years, and entailing a yearly loss averaging 25,000,000 hectoliters.

However interesting, it would be foreign to this report to follow the various means taken for the extermination of this insect; to tell of the Government commission, of the scientific examinations, of the syndicates formed among the owners, or of the methods adopted.

Isolated efforts were vain. General and united action was the only hope for relief. The result shows such improvement that we may hope the devastation has been stopped and the devastator conquered.

In her calamity, France has had the sympathy of all peoples, from none more than the United States, and in her efforts for redemption she has their encouragement. Had this failure happened to the grain crop, even for a single year, what distress and ruin would it not have caused? When continued for four successive harvests it would have produced a famine at which the world would have stood aghast. From such failures of its great crops of wheat, or corn, or cotton, the United States would not recover in a decade of years.

EFFECTS OF THE FAILURE OF THE VINE IN FRANCE.

On the wine growers sad enough, doubtless, for they could neither raise their usual crop of grapes nor could they use the ground occupied by the vines to plant anything else; and their efforts for the extermination of the insect must have been very expensive. Great excitement it doubtless caused; attracted the attention of the Government and of the world. Yet, this immense failure of from five hundred to eight hundred millions of gallons continued year after year, has had no perceptible effect on the quantity of wine drunk, the facility with which it can be obtained, nor the price to be paid for it.

The consumption of wine has maintained itself at about its average, diminished some years and increased others, but not more change than before the failure of 1879.

In Paris the average consumption of wine for each inhabitant amounted in 1877, to 212 liters; and in 1876, it was 230; and in 1878, 224 liters.

In the country it was, for 1876, 140 liters; 1877, 128; 1878, 124; 1879, 116 liters.

In the eight largest (*octroi*) cities of France the consumption of wine has diminished but 3½ per cent., while the consumption of alcohol has increased 31 per cent.

The average price of wine exported was as follows for 1879 and 1881:

1879, Bordeaux wine, in barrels, per hectoliter, 115 to 130 francs in bottles, per hectoliter, 150 francs; all other wines, in barrels, 50 francs; in bottles, 225 francs.

1881, Bordeaux wine, in barrels, per hectoliter, 140 to 145 francs; in bottles, 165 francs; all others, in barrels, 55 francs; in bottles, 225 francs.

This shows the slight increase of from $1 to $3 per 22 gallons, certainly not famine prices.

The exportations have maintained themselves about as has the consumption; fallen off slightly in some kinds, but increased in others.

The statistics will vary in the calculations of different persons, for the entries are varied under so many items; wine, Bordeaux and other, in barrels, in bottles; Eaux-de-vie, Cognac, etc., all spirituous liquors under different names, and the statistics consequently susceptible of infinite variety.

The exportation in francs shows an increase thus:

WINE.

	Francs.
1876	216,200,000
1877	225,500,000
1878	207,100,000
1879	264,900,000
1880	254,600,000
1881	264,200,000

OF WINES AND LIQUORS—TOTAL EXPORT.

1877	285,800,000
1881	332,300,000

The exportation, in quantity, is thus:

OF BORDEAUX WINE.

	Hectoliters.
1878	1,037,430
1881	1,165,575
Increase	128,145

OF OTHER WINES.

1878	1,707,974
1881	1,360,055
Decrease	347,919

Many of these statistics are given with accuracy and particularity in the tables appended to this report, and which I have taken from the *tableau général* of commerce for the respective years.

Here the round numbers were sufficient for my purpose, which was to show a decrease neither in consumption or exportation, nor that increase in price which usually follows failure of crops for even one year, but which, if continued for three or four, results in famine. How have the wine merchants of France been able to keep the supply equal to the demand?

How has this great feat been accomplished? The recuperative power of France after one year's war with Germany, and her ability to make the most out of the least, were at once the wonder and the admiration of the world, but in the case of failure of the wine crop she has shown unexpected recuperative power, and the ability to continue it for an indefinite period.

How has she been able to accomplish it? To solve this economic problem which so worried the Israelites during the last years of their sojourn in Egypt, to learn this secret of making something out of nothing and be able to follow their illustrious example in case the United States should be unfortunate enough to lose its crops for continuous harvests, will surely be worth while.

How has this been accomplished?

Answer. They have imported in large quantities the cheap, heavy wines of Spain and Italy. They have imported raisins from Greece and Turkey, soaked them and expressed the juice, and to these bases they add alcohol, coloring matter, and water in all imaginable proportions, kinds, quantities, and degrees, and thus they manufacture what they call wine, sell for wine, and export to the United States for wine.

This is not the first time the above question has been asked.

In the Journal Officiel, the same paper, and on the same day in which

was published the decree of the minister of agriculture and commerce against American pork, February 18, 1881, appear the debates in the senate of France on the subject of the new tariff.

The President of the tariff commission, Monsieur Pouyer-Quertier, made a speech in which he set forth the true condition of France and appealed to his colleagues to meet the tariff question fairly. He said, p. 133:

> I have seen on the quays of Bordeaux, and I believe I can see the same to-day, a quantity of wines of Spain which had come to the borders of the Garonne. I asked of the Bordelais if perchance these wines, worth only 80 to 85 francs per hectoliter, had not come to Bordeaux to breathe the air of Garonne and *be transformed into Medoc.*
>
> These, perhaps, are the wines which come to-day from Spain, and which *after a certain cure are again exported.*
>
> This represents a certain benefit, for we must admit that this wine contains alcohol to 15 degrees, and that with one barrel of *it and one of the water of the Garonne they make two barrels of wine.*

The minister of agriculture and commerce, who had that day signed the prohibition against American pork, replied:

> I remark to the Hon. M. Pouyer-Quertier that it is a singular fashion to defend the industries of a great country like France to come here and tell *à propos* of our wines of the *mélanges* which are made with the water, the mixing * * * (protestations from divers benches). [Several senators: "All the world answer it."] Monsieur le ministre, continuing: * * * and to come here, *to thus discredit, in this tribune, the French products destined for foreign countries.* In truth, it is *a singular fashion for him to proceed* (more interruptions). You understand that since two or three years, either from phylloxera, from frost, or from dropping of the fruit, we have descended from an annual production of 60,000,000 hectoliters to 28,000,000. It is incontestable that we have not produced the same quantity of wine, and *although we may add water*, it is still necessary to seek in foreign countries that which we have lost. We introduce the wines because they are necessary to our people. In 1876, and before, we imported no wines, because our harvest was abundant and we had no need of them.

This is enough for my purpose. I need follow him no further. It is a confession of my charge, made by the highest authority in the state, and it was in answer to the direct question.

INCREASE OF WINE IMPORTATIONS.

For specific information I refer to the tables in the appendix. I only give here general results.

We have seen that in 1876, and before, no *wine* was imported.

Years.	Wine only.	Wine and liquor, total importations.
	Francs.	*Francs.*
1877	34,800,000	54,506,000
1878	64,400,000	88,279,000
1879	126,700,000	155,760,000
1880	320,900,000	359,791,000
1881	375,700,000	410,004,000

Total *increase* in all kinds of wines and liquors since 1878, 6,342,510 hectoliters and 315,807,121 francs. *Increase in vin ordinaire alone* since 1878, 6,179,028 hectoliters and 296,312,280 francs

The total importations of *vin ordinaire in casks*—I do not speak of bottled wine; it would not be used for adulteration or manufacture—for the year 1881 amounted to 7,700,000 hectoliters, valued at 346,516,000 francs. Of this, 7,274,206 hectoliters came from Spain and Italy, valued at 336,271,447 francs, being an increase over 1878 of 5,731,000 hectoliters and 262,000,000.

In the mean time the exports of wine from France to Spain and Italy decreased 3,000 hectoliters.

By what might be called a remarkable coincidence, this great increase in importation arrived principally at the port of Bordeaux. In 1881 the importations of wine and spirits at that port amounted to 2,942,272 hectoliters, at 97,028,137 francs, which had been an increase over 1878 of 2,785,000 hectoliters and 87,404,958 francs.

The exportations from Bordeaux did not keep pace with this enormous increase in importation. The wine exported was, in 1878, 1,151,000 hectoliters, at 92,000,000 francs; in 1881, 1,173,000 hectoliters, at 135,000,000 francs, being an increase of only 22,000 hectoliters, but of 42,000,000 francs.

Of *spirits* there was a decrease of 23,000 hectoliters and an increase of 5,000,000 francs, the aggregate being a decrease of 1,300 hectoliters but an increase of 47,000,000 francs.

In 1881 the importation of raisins (dry) amounted to 68,000,000 kilograms, at a value of 37,500,000 francs, of which Greece and Turkey furnished 58,500,000 kilograms.

Raisins mashed or bruised in casks amounted the same year to 431,000 liters, at 64,000 francs.

The wine produced from raisins in France in 1881 is stated at 2,430,000 hectoliters.

These facts explain how the deficit caused by the failure of the wine crop has been made up. Thus, the *tableau général* of the commerce (special) of France for 1881, the last one issued, shows:

Description.	Hectoliters.	Francs.
Importations of wine	7, 883, 807	363, 923, 855
Exportation of wine	2, 572, 196	252, 815, 691
"*Marchandises étrangères nécessaires à la consommation française*"	5, 266, 711	111, 107, 794

France has the reputation of being a wine-exporting country, but this table shows that she is a larger importer than exporter; that the balance of trade against her on wine is no less than 137,000,000 gallons, valued at 111,000,000 francs.

The importation of wine from Spain and Italy amounted in 1881 to 7,700,000 hectoliters. It would not be fair to say this was all used, or to be used, in the manufacture of French wine—"to breathe the air of the Garonne and be transformed into Medoc." For though the bottled wine, amounting to 345,000 quarts or liters, has been excluded, yet it would include the sherry and malaga wine in casks. But it would be fair to say that the increased importation was for that purpose.

This increase from 1878 to 1881 of *vin ordinaire* only in casks, amounted to 6,179,028 hectoliters; wines made from raisins, 2,430,000 hectoliters; total, 8,609,028 hectoliters. According to Pouyer-Quertier they add an equal quantity of water, 8,609,028 hectoliters, making 17,218,056 hectoliters, or about 460,000,000 gallons added during the year 1881 to the wine crop of France by manufacturing process.

The foregoing statistics do not prove, I admit, *all* this imported wine to have been "manufactured" into French wine, but I have said this transformation was one of the secrets of the laboratory, and not to be discovered by ordinary means. What wine merchant from France, or anywhere else, would furnish information, much less proof, that his French wine had been by himself or by any one else manufactured, doctored, or diluted from Spanish, Italian, or raisin wine?

One who demands specific proof of this shows that he does not desire nor intend to be convinced.

I have shown enough to raise a presumption of its wholesale manufacture.

I have shown (1) the failure of the crop sufficient to produce a famine; (2) no diminution in either consumption or exportation; (3) no corresponding increase in price; (4) an immense increase in importation of the (known to be) heavy wines of Spain and Italy, and (5) the entire making of the crop of raisin wine, the two latter being in sufficient quantities in the aggregate to make good the deficit; (6) that the charge of this wholesale manufacture was made publicly in the Senate of France, and several senators shouted in support of it that "all the world knew it to be so;" (7) the minister of agriculture and commerce, replying to the senator, did not deny the charge, but upbraided the senator for making it, and said if it was true it had its justification.

These are, I think, enough to create the presumption and put the onus on the wine merchants.

The adulteration of wine naturally belongs to "ways that are dark and tricks that are vain," and it is not possible that the proof can be obtained and made clear, as in many other offenses against the law.

Recognizing this fact, the law of France, C. P., Art. 423, makes the mere *having, with intent to sell*, any adulterated or falsified food, medicine or drink, an offense equal to that of the adulteration or falsification.

I have said that the criticism of the consular reports of the Revue des Vins contained some important admissions bearing on this subject. In reading this, forget not that they come from the highest representative of the wine interest in France, and are contained in its reply to similar charges made by other consuls. It says, November, 1882, p. 881: "It is certain that there is made in France *a considerable quantity of adulterated wines*, although the last crop yielded 38,000,000 hectoliters.

"One estimates the production of raisin wines at 2,400,000 hectoliters. That a portion of this goes to the United States is possible, even probable, though in our opinion the proportion is very small.

"It is purely a question of price. As to brandies, we do not deny that it is possible there are brandies shipped that have very *little connection with the wine from which they are supposed to proceed.*

On page 668 it gives the wine product of 1881 at 38,000,000 hectoliters, and then says: "This is only wine from grapes, but beyond this genuine wine-growers have made 2,000,000 hectoliters of artificial wine by pouring sugared water on the residue." Here let me repeat a story told by the newspapers *á propos.* A wine-grower sold three-fourths of his crop and then filled up the casks with sweetened water. His neighbor twitted him that the *mélange* was not wine. "Why not?" demanded he, "*il tache le linge*"—"it will stain the table-cloth."

It seems to be considered as wine through all its dilutions and ablutions while it will continue "*tacher le linge.*"

The Revue, same page, gives thus the total production of wine for 1881, as follows:

	Francs.
Natural wine, 38,000,000 hectoliters, valued at	1,540,000,000
Production of wine from sugar and water	80,000,000
Production of wine from dry grapes	48,000,000
Importations	192,629,749
Total	1,860,629,749

FALSIFICATION OF FRENCH WINES FOR THE UNITED STATES.

One of the consuls of France in the United States, I believe at San Francisco, sent a report to his Government concerning the falsification of French wines imported into the United States. This report was deemed of sufficient importance to be made the basis of communications between the ministers of foreign affairs and of commerce, and by the latter to the Chambers of Commerce at Rheims and Bordeaux. The two former I have not seen, but the latter is published in the Revue des Vins:

MINISTRY OF COMMERCE,
Paris, August 29, 1882.

MONSIEUR LE PRÉSIDENT: It appears from a communication which has been made to me through the ministry of foreign affairs that the imports of champagne wines into the United States from 123,574 baskets during the first six months of 1881 have fallen to 104,755 during the corresponding six months of the current year, a diminution of 28,219. This result, according to American papers, is due not only to the competition of California wines, but is also due to the bad quality of the articles imported into the United States by our manufacturers of champagne, who, after having made a mark appreciated by the public, only send wines of an inferior quality.

Under these circumstances consumers fall back on imitations, which are not much worse than the imported article, and cost less.

The same remarks would apply, though in a less degree, to the wines of all growths.

As to the California wines, it is considered that the white wines especially are improving in quality.

The red wines, notwithstanding the peculiar taste due to the soil or the process of manufacture, are preferred by many to the Bordeaux wines, called cargo wines, which are of middling quality and relatively high price. * * *

The minister of commerce,

PIERRE LEGRAND.

I have nothing to do with the quarrel which grew out of this communication in Rheims, nor yet with the champagne wines to which it refers, but as to Bordeaux the Revue explains, p. 670:

The part of the circular relative to Bordeaux wines is partly (well) founded, as cargo wines can no longer be shipped at same prices as before for similar qualities, owing to bad crops and the phylloxera, which would have no sense if referring to champagne wines.

The Belgian Government has taken substantially the same view I have tried to present, and has attempted in some degree to provide a remedy by a bill introduced on March 24, 1882, by the minister of finance, under the title of "Excise duties on the fabrications of wines from dried fruits." It was a blow aimed at all manufactured wines.

Monsieur Girard, director of the *Laboratoire Municipal* at Paris, of which I shall have occasion to speak further on, commenting on this subject of adulteration of wines, says in his report for 1881, just published, p. 40:

Fraud alone, fraud on a vast scale, furnishes the key to this enigma. It is by the illicit operations that certain manufacturers (or dealers) come to make their fortune at the expense of the public health, at the expense of the interest of the state and its cities, at the expense of the agricultural and commercial prosperity of France.

THE MANUFACTURE OF WINE—ITS FALSIFICATION AND ADULTERATION.

Wine, properly defined, is that alcoholic liquor which results from the fermentation of the juice of fresh grapes.

Falsification or adulteration is the addition of any substance which changes the composition of the natural wine.

A French chemist once said:

Wine is a mixture of alcohol and sugar and water; but, added he, mixing alcohol and sugar and water will not make wine.

He who supposes that the juice of the grape is wine, or that by letting it ferment it will always make wine, is much mistaken. As well might he say that to open the throttle-valve of a locomotive a given distance it would make the run between two cities or stations by itself.

Both the grapes and wines have their maladies and their peculiarities, which sometimes are intricate and unmanageable, and need the utmost care and attention.

After the juice has been expressed, and in the cask, the most difficult and delicate portion of the task begins.

To make good and palatable wine, keeping it pure and healthful, and to do this continuously, without loss, is as much a trade or profession as any. To do it well requires aptitude, study, and patient, intelligent labor, long continued.

The palate must be educated to the same degree of fineness as is required by a singer of his voice, or by a musician of his ear.

I give all credit to the honest wine-makers.

What I condemn are the wine falsificators—those who make unhealthy and impure wine by unlawful and improper means.

Wine has been falsified and adulterated in all ages, but until twenty years ago it was done so clumsily that its detection was easy. Most wine-dealers would detect it by the taste, or, if not, at the expense of a piece of cream of tartar.

All this has been changed. Now the falsificators profit by and make use of all the progress of modern chemistry, and the art of making wine without the juice of the grape has attained such a degree of perfection and skill that experts, epicures, and chemists alike are baffled and hesitate before pronouncing.

Monsieur Girard, director of the *Laboratoire Municipal* at Paris, probably the foremost authority in Europe, or the world, who denounces adulteration, in his last report (for 1881), p. 93, follows the same line I have pursued concerning the importation of Spanish and Italian wines, and gives a table, such as mine, showing the progression from 1875 to the first nine months of 1881, and then says:

> These wines, rich in alcohol and extracts, are mixed with inferior, in an operation called *coupage*.
>
> The *coupage* practiced by honest dealers who sell their wines for what they are, is perfectly lawful, for their aim is to ameliorate and render proper for consumption those wines which can not be easily utilized as they are.
>
> Unhappily, the greater part of the heavy wines of Spain, Italy, and the south of France serve for a *coupage* in which water takes a large place; this operation takes the name of *mouillage*, and is the plague of the commerce in wines.
>
> The syndicate of wholesale wine and liquor merchants of France has energetically demanded its repression. (Session of June 16, 1881, p. 66.) Generally the *mouillage* is not made alone. Those who practice it almost always find themselves compelled to go further in their fraudulent operations. The water is clear; when they add too much to the wine it weakens the color so that it is perceptible, which, in its turn, must be corrected by the addition of heavy wines or some of the many coloring matters used for that purpose.
>
> After attempting to pass a large quantity of water under the name of wine, they add to the *mouillage* the alcohol, of an inferior quality, of potatoes or beets, which contains alcohol *amylique*, which produces a drunkenness far worse than that produced by the alcohol of wine. These, with all their ramifications, are not the only falsifications; the body, the aroma, the bouquet of the finest qualities of grand wines, are imitated on a large scale by scientific processes. * * *
>
> The ethers, *œnanthique*, *pélargonique*, &c., of the wine, are counterfeited by the mixing of other ethers and essences which are prepared artificially.
>
> The report of the "*Commission Supérieure de l'Exposition de Vienne*," vol. 1, p. 289, tells of the institute at Closterneuberg, Austria, where they make the extracts or ethers *œnanthiques*, which reproduce the bouquets of the most renowned wines.
>
> The fabrication of *piquettes* (poor sour wine) from dried fruits or raisins has still more complicated the problem; these *piquettes*, cut with one-half or two-thirds of red

wine from the south of France or Spain, whipped and filtered, constitute the heavy merchantable wine which can be mixed with light wines, or, more frequently, with water. The *piquette* has completed the means of action for the falsificator; it gives him the extracts, tartaric acid, tannin, glycerine, &c., which before he had not been able to procure.

Each day the chemist is met by new difficulties; he is obliged to labor without cessation to perfect his methods to combat those who dishonor science by using her to perpetrate frauds.

I have said that I had introduced enough proof to raise a presumption of a wholesale adulteration of wine in France and to put the *onus* of explanation on her wine merchants and distillers.

This last piece of testimony confirms and makes positive the charge against them. All that now remians to establish their guilt and complete this trial is to catch them in the act, which I now propose to do.

CONVICTIONS FOR ADULTERATIONS.

The offense proven, the law of France is very stringent against all deceit, fraud, adulteration, or misrepresentation as to anything sold. Article 423, *Code Pénal*, provides: whoever shall cheat or deceive a buyer as to the title, &c., or as to the nature, &c., or (by false weights or measures) as to the quantities of anything sold, shall be punished, &c. Law of March 27, 1855: whoever falsifies or adulterates provisions or medicines, or sells or attempts to sell what has been falsified or adulterated, shall be punished, &c. The fine is to be not less than 50 francs, the imprisonment from three months to one year. If the adulteration consists of anything unhealthy, the fine shall not be less than 150 francs and the imprisonment may be two years. For second offense, double maximum punishment. The articles sold are to be confiscated, and, if not unhealthy, given to the bureau of charity; if unhealthy, destroyed, all false weights and measures to be broken. (Law of May 5, 1855.) The former laws are made applicable to all drinks.

What has been the operation of this law? There have been convicted as follows:

Yearly average of convictions:

1851 to 1855	6,780
1856 to 1860	8,442
1861 to 1865	4,695
1866 to 1870	3,014
1871 to 1875	3,209
1876 to 1880	3,398

These have not all been condemned for adulteration of wines and liquors, nor yet for drinks, for it includes the adulteration and falsification of food and medicines, as well as drink.

The adulteration of these articles is determined by analysis, and each department has its *conseil* of hygiene which has control thereof. When a case is reported by the *conseil* or any of the inspectors, after analysis, the prosecuting officer of the Republic takes it before the court. Consequently the action is spasmodic, being determined by each department for itself.

The department of Loire Inférieure became interested in the matter of adulteration of wine and liquors through the action of some of its influential citizens, more especially the doctors of medicine, who reported many cases of sickness which presented curious and unaccountable phases, from causes apparently undiscoverable, until their attention was attracted in the quality of the wine used at table and for daily drink.

This interest culminated in a general inspection, in 1876, of the res-

taurants and other places where wines and liquors were sold. This inspection was principally for wines colored with *fuchsine*, it being known or determined that no combination of that article but was poisonous. The result of that inspection was as follows:

Number of establishments inspected	300
Number of establishments seized	60
Number of hectoliters confiscated	3,307

All being wine fuchsine.

This wholesale confiscation satisfied the people and the authorities, and frightened the wine dealers, so that no steps have been taken in that direction in a public or general way since.

These wines were largely wines coming from Spain; some of them were mixed with French wines, but they point with creditable pride to the fact that but one case was of Bordeaux wine. If this practice prevailed in Spain to the extent indicated in the year 1876, when the harvest of wine was good and before there was any extensive importation of wine from Spain, what may we not expect it to be now after four years of failure, when the imports have increased as heretofore shown, and when Bordeaux has so changed as now to be the great receiving depot of Spanish wine, where it comes "to breathe the air of the Garonne and be transformed into Medoc?"

What may have been the action in other cities, except Paris, I have no means of finding out.

ANALYZATION OF FOODS AND LIQUORS IN PARIS.

In Paris there has been established the *Laboratoire Municipal*, a city laboratory which has been in operation since March, 1881. It operates only for Paris. It receives and analyses any article of food, medicine, or drink, requiring pay in certain cases, and without in certain others. As this establishment has met much approval, it has been recommended by several consuls for adoption in the United States, in which I heartily join. I may be pardoned for a short description.

PERSONNEL.

	Francs.
1 chief, salary	6,000
1 subchief	4,500
1 chemist, first class	2,400
3 aids, second class	5,400
8 experts, inspectors, first-class	19,200
8 experts, inspectors, second class	14,400
3 laborers	4,500
Material used	20,000
Expense for one year	76,400

RECEIPTS.

The paid analyses were	6,200
Fees paid into court in cases of conviction	10,815
Total	17,015

There were received 6,251 samples (in 1881), from which were made 37,506 trials or analyses. The cost of each sample was 10 francs. The cost of each analysis was 1.69 francs. The money received (as above) reduced these costs, respectively, to 7.48 and 1.25 francs.

The operations of the bureau are purely scientific and advisory. It institutes no prosecutions. It makes its examinations and reports the

results to those authorized by law to act. It inspects premises and analyzes samples therein found, or which may be brought to it by private persons or by the police.

The operations for the ten months of 1881 were as follows:

Number of inspections made.

Markets	3,869
Restaurants, wine and liquor merchants, creameries, and milk shops	10,698
Salt-meat shops	522
Bakers, pie and cake shops	830
Grocers and fruit stands	4,461
Breweries and cafés	4,275
Total visits	24,655

Samples presented for analysis.

By the public:	
Paid for	378
Gratis	3,958
By the police and inspectors	2,181
Total	6,517

Of the above 24,655 visits, the inspectors made 394 destructions of articles manifestly damaged and unfit for use.

Result of the analyses of ten months, 1881.

Description.	Good.	Passable.	Bad.		Total.
			But not poison.	Poison.	
Wine	357	1,093	1,709	202	3,361
Vinegar	22	31	26	1	80
Beer	48	10	29	1	88
Cider	6	10	30	9	55
Sirup, liquors	40	32	53	9	134
Water	18	11	.....	63	92
Milk and cream	318	177	542	.....	1,037
Butter and cheese	30	12	29	.....	71
Bread, pies, and cake	45	13	11	.....	69
Meats, salt	55	10	21	.....	86
Preserves	39	7	.....	25	71
Salt, pepper, spices	45	13	82	.....	140
Coffee, tea, chicory	37	7	7	.....	51
Chocolate	26	24	33	.....	83
Cooking utensils	85	10	.....	45	140
Divers	394	63	36	*207	700
Totals	1,565	1,523	2,608	562	6,258

* Principally articles of perfumery.

Proportion of samples found "bad" out of each 100 *analyzed.*

	Per cent.
Wine	59.17
Milk	50.66
All	50.43

The manner of procedure would be foreign to this report, however interesting it might be, and would extend it beyond bounds. I have given the foregoing in detail that the workings of the laboratory in its cost and its effects upon the public health may be appreciated. The operations for 1882 will be given with less detail.

I am not able to give either the number of prosecutions, convictions, confiscations, or destructions for 1881.

OPERATIONS FOR 1882.

Aggregate of samples analyzed		11,000
Of wine only (December estimated):		
Good		888
Passable		1,603
Bad:		
Not poison	2,208	
Poison	413	
		2,621
Total		5,112

Proportion bad, 50 per cent.

OPERATIONS FOR SIX MONTHS.

(*From June to December*, 1882.)

Establishments visited	20,765
Captures made	3,211
Destructions performed	989

Result of analyses of all samples.

Good		1,290
Passable		1,510
Bad:		
Not poison	2,309	
Poison	977	
		3,286
Total analyses for six months		6,086

Proportion bad, 54 per cent.

The *Laboratoire Municipal* is not charged with the prosecution of the offenders it discovers. It only reports them to the prosecuting officers of the law. It consequently has no record of convictions; but in a private interview the director announced that they had reported during 1882 to the *procureur de la Republique* 4,000 cases, of which prosecutions had been instituted against about 2,000 offenders, *of whom only two were acquitted.*

It may not be fair to say that 50 per cent. of all wine in commerce is bad because that per cent. proved bad on analysis, for it is probably only the suspected wines which are sent for analysis.

The truth is bad enough without exaggeration, and it is enough that there should have been sold or offered for sale in Paris in the past year, to 2,621 unsuspecting people, wine that was bad, and of which in 413 instances it was dangerous to health.

But I venture to say that the greater proportion of these samples of suspected wines is of the class of cheap wines to be found in everyday use at the restaurants and cafés and among the people. So that, as there is more cheap wine than high-priced, if there were a compulsory analysis of *all* the wines in use, the proportion of "bad" as above given might be maintained.

I do not even suggest, though I have no means of knowing, that the high-priced wines would not stand the analysis. I think, at least hope, they would. The wine-maker and wine merchant are interested in preserving *them* in their purity. When red wines of 1881 can be sold by the lot of 20 casks, at 5,500 francs per cask, and white wines same year at 4,000 francs, as was done at Bordeaux this season, the dealer can not afford to have *them* tampered with.

If purchasers should find themselves deceived but once, they would reject it entirely.

EFFECTS OF CONSUMPTION OF WINES AND LIQUORS.

The following table gives (by sections) the average yearly consumption (1) of wine, (2) of alcohol, (3) of the proportion of cases of drunkenness in each section of France:

Section of France.	Average yearly consumption of wine for each inhabitant, 1873.*	Average yearly consumption of alcohol for each inhabitant.†	Proportion of cases of drunkenness.†
	Liters.	*Liters.*	
1. North wine district	87	5.61	34
2. Northwest wine district	14	4.40	29
3. Northeast wine district	126	2.40	10
4. Center wine district	118	1.53	9
5. Southwest wine district	165	0.87	5
6. Southeast wine district	168	1.07	9
7. South wine district	190	1.19	4
Average for all France	119	2.84	100

* Dr. Lunier Production and Consumption of Alcoholic Liquors in France, 1877, p. 94.
† Report of minister of justice, 1826 to 1880.

I call attention to the differences in the foregoing table between the districts which grow wine and those which do not.

Drunkenness in public was not punished as an offense until the law of 1873.*

CONVICTIONS.

1873	9,347
1874	86,418
1875	98,482
1876	91,560
1877	84,893
1878	71,972
1879	65,989
1880	60,714
Total for the eight years	619,375
Average annual	77,422
Drunk and disorderly, 1880	25,785

The minister of justice, in his report for 1826 to 1880, devotes a chapter or section to drunkenness, one to accidental deaths, and one to suicides, with a reference to insanity, and the deductions from the one to the other as cause and effect are as follows:

While the number of cases of drunkenness have decreased from 98,000 in 1875 to 60,000 in 1880, a falling off of nearly 40 per cent., yet the number of cases of *suicides from alcoholism has increased*, since 1836, 483 per cent., nearly quadruple, while suicides from mental alienation have increased only 188 per cent.

Accidental deaths have remained at the same per cent.

Insanity from *alcoholism* has *increased* from 7 per cent. (7 cases out of each 100) to 14 per cent., and, strange to relate, suicides from crossed love have been reduced from 11 to 4 per cent.

Whether this increase in the evil effects of intemperance is attributable to the use of drugs in the wines and liquors or to a change in the

* Report of minister of justice, 1826 to 1880.

habit of drinking, is a subject for the examination of the political economist and the labors of the philanthropist. It may have been the result of both. It is quite enough for my purpose that adulteration shall have contributed its share.

CONCLUSION.

It will not be supposed that I have made the examinations and expended the time and labor necessary for the preparation of this without having some opinions.

On the subject of reprisals, however, I offer none. I have endeavored only to procure the evidence and present the facts, leaving the decision thereof entirely to those having proper authority.

On the subject of adulteration of wines and liquors, I would recommend the establishment of a chemical laboratory at New York, or any chief city of importation of wines and liquors, similar to that in Paris.

Analyze all wines and liquors by proper tests; provide as a system of rewards and punishments a graduation of duties, lower for pure wines, higher for passable, and confiscation for all others; those poisonous to be destroyed, and those not poisonous to be rectified if possible and sold, and the proceeds divided as in other cases of confiscated goods.

Let the laboratory be used by the people gratuitously for the testing of all articles of food, drink, or medicine, suspected to be adulterated. While the United States Government might not desire to attempt any punishment for the adulteration, preferring to leave that for the State governments, yet I believe the knowledge that such tests could be accurately made would be such a satisfaction to the consumer and such a terror to the adulterator, thus acting as a preventive of crime, that it would be a good investment and more than justify the expenditure. It would also act as an incentive to the State governments by showing to what extent the evil existed.

THOMAS WILSON,
Consul.

UNITED STATES CONSULATE,
Nantes, January 10, 1883.

APPENDIX I.

The wine product of France.

	Hectoliters.
1788	25,000,000
1840	45,486
1850*	45 226
1860	39,558,450
1870	53,537,942
1875	83,632,391
1877	56,405,363
1878	48,720,553
1879†	25,769,532
1880	29,677,472

The average product—

	Hectoliters.
From 1866 to 1870	55,562,046
From 1871 to 1875	58.032,074
From 1876 to 1880	40,483,937

*1854 and 1855 were failures, producing only ten and fifteen million hectoliters.
† Failures.

Average annual product of Europe.

	Hectoliters.
France	51,359,352
Italy	29,000,000
Spain	16,000,000
Portugal	4,000,000
Austria-Hungary	22,640,000
Germany	6,501,000
Switzerland	900,000
Russia and Turkey, Europe	2,134,000
Greece	1,260,675
Roumania	661,874
Total	134,456,901

Duty paid on wine in France.

	Francs.
1860	176,414,128
1870	223,693,103
1875	386,026,000
1877	399,061,800
1878	411,583,000
1879	421,786,748

APPENDIX II.

Exportations of all the wines and liquors from France during the years before and since th failure of the wine crop from phylloxera, commencing in 1879.

	1878.		1879.	
	Hectoliters.	Francs.	Hectoliters.	Francs.
Vin ordinaire:				
From Gironde ....casks..	946,342	76,721,347	1,334,199	122,225,017
All other places....do...	1,496,674	56,873,597	1,359,689	67,984,447
Gironde ....bottles..	91,138	13,715,688	103,635	15,545,295
Others ....do....	211,300	47,542,595	204,401	45,990,257
Total	2,745,454	194,853,227	3,001,924	251,745,016
Eaux de vie:				
Du vin....casks..	182,234	43,519,992	218,719	68,354,981
Du vin ....bottles..	70,787	16,315,997	66,948	21,056,059
Cherries	421	94,741	432	97,231
Molasses	4,360	610,442	4,966	695,373
Others	27,569	3,859,713	31,359	4,390,274
Spirits	17,389	1,182,455	18,300	1,226,076
Grand total	.....	260,436,567	.....	347,564,010
For year preceding	.....	285,800,719	.....	276,445,419

	1880.		1881.	
	Hectoliters.	Francs.	Hectoliters.	Francs.
Vin ordinaire:				
From Gironde....casks..	1,033,393	112,960,915	1,060,917	116,705,168
All other places ....do....	1,057,436	52,871,786	1,138,531	62,619,194
Gironde ....bottles..	106,637	17,595,092	104,658	17,268,583
Others ....do....	248,927	56,008,652	221,524	49,862,954
Total	.....	239,436,445	2,425,630	246,435,899
Eaux de vie:				
Du vin....casks..	160,392	48,070,324	153,928	42,908,567
Du vin ....bottles..	60,654	18,485,984	61,835	18,129,475
Cherries	425	106,235	572	128,774
Molasses	44,352	609,322	4,582	733,173
Others	34,249	4,794,990	36,039	5,045,509
Spirits	17,815	1,336,143	15,729	1,101,058
Grand total	.....	328,338,108	.....	314,482,455
For year preceding	.....	363,522,379	.....	328,338,108

APPENDIX III.

Total importations of all wines and liquors into France during the years before and since the failure of the wine crop from phylloxera, commencing in 1879.

	1878.		1879.		1880.	
	Commerce special.		Commerce special.		Commerce special.	
	Hectoliters.	Francs.	Hectoliters.	Francs.	Hectoliters.	Francs.
Vin ordinaire:						
In casks	1,521,337	50,204,145	2,828,418	107,479,899	7,093,268	297,917,248
In bottles	.....	.....	2,262	271,495	.....	.....
Vins de liqueurs:						
In casks	78,656	8,652,210	106,447	12,773,644	123,885	15,485,661
In bottles	709	120,569	983	177,702	920	183,864
Eaux de vie (alcohol, pure):						
Of wine	374	41,990	777	88,668	7,903	964,095
Of cherries	232	52,360	265	59,809	182	41,991
Of molasses	59,263	8,296,896	69,349	9,708,987	63,802	9,579,413
Of all others	15,263	1,526,331	29,020	2,902,059	39,942	3,994,235
Spirits of all sorts (alcohol, pure)	57,985	4,928,804	98,860	8,403,110	148,416	12,615,362
Liqueurs	1,760	528,093	1,870	511,282	2,357	707,373
Total of wines and liquors of all sorts, including beer, cider, and vinegar	.....	88,279,035	.....	155,760,934	.....	359,791,742
For preceding year	.....	54,506,231	.....	88,279,035	.....	155,760,934
Annual increase in importations	.....	33,772,804	.....	67,481,899	.....	204,080,808

	1881.		Increase in importations from 1878 to 1881, four years.	
	Commerce special.			
	Hectoliters.	Francs.	Hectoliters.	Francs.
Vin ordinaire:				
In casks	7,700,365	346,516,425	6,179,028	296,312,280
In bottles	3,452	446,144	(*)	(*)
Vin de liqueurs:				
In casks	133,881	16,735,162	52,225	8,082,925
In bottles	1,129	225,854	420	105,285
Eaux de vie (alcohol, pure):				
Of wine	6,194	755,669	5,820	713,679
Of cherries	373	83,835	141	31,475
Of molasses	62,530	10,004,827	3,267	1,707,931
Of all others	16,846	1,682,328	1,583	155,997
Spirits of all sorts (alcohol, pure)	157,289	13,369,549	99,304	8,480,745
Liqueurs	2,482	744,897	722	216,804
Total of wines and liquors of all sorts, including beer, cider, and vinegar	.....	410,004,337	.....	.....
For preceding year	.....	359,791,742	.....	.....
Annual increase in importations	.....	50,212,595	.....	.....
Total increase in importation of all wines and liquors			6 342,510	315,807,121
Increase in *vin ordinaire* in casks only			6,179,028	296,312,280
Increase in all others			163,482	19,494,841

* Vin ordinaire "in bottles" was overlooked until after the additions were made.

APPENDIX IV.

Importations from Spain and Italy, showing how the deficit in France since 1879, *caused by the phylloxera, has been made up.*

From—	1878.		1879.		1880.	
	Commerce special.		Commerce special.		Commerce special.	
	Hectoliters.	Francs.	Hectoliters.	Francs.	Hectoliters.	Francs.
Spain	1,347,644	48,290,310	2,289,716	[illegible]1,521,064	5,112,387	221,005,555
Italy	194,782	7,577,811	540,113	21,993,077	1,604,302	69,221,537

From—	1881.		Increase from 1878 to 1881.	
	Commerce special.			
	Hectoliters.	Francs.	Hectoliters.	Francs.
Spain	5,717,938	264,210,637	4,370,294	197,920,327
Italy	1,556,268	72,060,810	1,361,486	64,482,999
Increase in importations from the two countries in the four years from 1878 to 1881	.....	.....	5,731,780	262,403,326

Exportations to Spain and Italy, showing no such corresponding increase.

To—	1878.		1879.		1880.	
	Commerce special.		Commerce special.		Commerce special.	
	Hectoliters.	Francs.	Hectoliters.	Francs.	Hectoliters.	Francs.
Spain	4,025	597,225	4,301	638,856	4,794	713,870
Italy	14,364	1,114,162	3,705	603,115	3,538	583,392

To—	1881.		Change, *plus* or *minus*.	
	Commerce special.			
	Hectoliters.	Francs.	Hectoliters.	Francs.
Spain	3,672	593,811	— 353	— 3,914
Italy	11,607	1,629,593	*—2,757	+515,431
Decrease in exportations to the two countries during same period	.....	.....	—3,110	

* Though the price increased, the amount of wine decreased.

Importation of wine and spirits at Bordeaux; illustrating how they made good the deficit caused by the phylloxera in 1879 *and subsequent years.*

Description.	1878.		1879.		1880.	
	Hectoliters.	Francs.	Hectoliters.	Francs.	Hectoliters.	Francs
Wine	47,781	1,446,750	285,930	11,663,349	895,443	34,045,820
Spirits	114,855	8,166,429	106,285	11,152,279	178,045	13,386,766

Description.	1881.		Increase from 1878 to 1881.	
	Hectoliters.	Francs.	Hectoliters.	Francs.
Wine	1,262,313	50,351,947	1,220,532	48,905,197
Spirits	1,679,959	46,676,190	1,565,104	38,499,761
Increase in importations of wine and spirits at Bordeaux alone during these four years.	.....	.....	2,785,636	87,404,958

Exportation at Bordeaux.

Description.	1878.		1879.		1880.	
	Hectoliters.	Francs.	Hectoliters.	Francs.	Hectoliters.	Francs.
Wine	1,151,270	92,521,882	1,442,424	138,915,160	1,145,667	132,088,158
Spirits	117,200	15,903,875	81,601	25,213,518	154,135	22,931,963

Description.	1881.		Increase from 1878 to 1881.	
	Hectoliters.	Francs.	Hectoliters.	Francs.
Wines	1,173,515	135,184,790	22,245	42,662,908
Spirits	96,453	21,104,812	—23,555	5,200,937
			—1,310	47,863,845

Wines and liquors in entrepôt (bonded warehouse), from January 1, 1878, *to December* 31, 1881, *both at Bordeaux and in all France.*

	December 31, 1877.		December 21, 1881.	
	Bordeaux.	All France.	Bordeaux.	All France.
Wines:	*Hectoliters.*	*Hectoliters.*	*Hectoliters.*	*Hectoliters.*
Ordinaire	2,425	14,683	12,828	55,583
Liqueur	2,402	5,811	2,838	4,761
Eaux de Vie: de Vine	.....	192	279	936
Molasses	1,730	9,429	1,433	11,194
All others	184	11,304	349	6,455
Spirits	1,485	3,889	2,063	14,931
Liqueurs	45	157	32	146
All others	.....	76	.....	404

No. 23.

Mr. Frelinghuysen to Mr. Morton.

No. 207.] DEPARTMENT OF STATE,
Washington, January 17, 1883.

SIR: Your No. 270, of the 15th ultimo, transmits a letter addressed to you by the Paris Chamber of Commerce and your acknowledgment thereof.

It is courteous and at the same time natural that the distinguished commercial body in question, which so largely controls public and legislative opinion in France on matters of trade, should be pleased to express its pleasure at any proposal on our part to reduce the rates of import duties. It would be well, when a similar occasion occurs, to express a hope that a reciprocal feeling might be shown in France to the few exports from this country thither as compared with the many France sends to us, and that commerce and legislation alike may unite in rebuking the blind prejudice which seeks to close a large foreign market to our most important products.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 24.

Mr. Morton to Mr. Frelinghuysen.

No. 324.] LEGATION OF THE UNITED STATES,
Paris, April 4, 1883. (Received April 18.)

SIR: I availed myself of an occasion, during a recent personal interview with Mr. Challemel Lacour, the new minister of foreign affairs, to call his attention to the subject of the decree prohibiting the importation into France of American salted meats, and subsequently addressed a communication to him on the subject, a copy of which I have the honor to transmit herewith.

In relation to this subject I have had different interviews with the representatives of the chambers of commerce of Paris, Marseilles, Bordeaux, and Havre, who take a special interest in the importation of American meats, and propose to make joint representations to the minister of commerce, and to originate a system of petitions among the working classes of France, urging the repeal of the decree.

This move, if properly directed, will be, it is hoped, effective. I have been, however, so often disappointed, that I will not venture to count upon the success of the present movement, though it is well calculated to reach the end desired. I may add that at the conference relative to the protection of industrial property, which was presided over by the minister of commerce, and attended by the director of exterior commerce, I insisted with both these gentlemen upon the necessity of the abrogation of the decree.

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 324.]

Mr. Morton to the Minister of Foreign Affairs.

LEGATION OF THE UNITED STATES,
Paris, March 24, 1883.

Sir: I beg leave to call the attention of your excellency to communications which I have had the honor of addressing to your predecessors, Mr. St. Hilaire and Mr. Gambetta, with reference to the decree prohibiting the importation of American salted meats into France.

This decree has now been in force for more than two years, while similar products from all other countries have been freely admitted in France.

An examination of the subject will, I trust, not only satisfy your excellency, but also your honorable colleague, the minister of commerce, that the decree was issued under a misapprehension of the facts bearing upon the question, and that there are no valid reasons why this exceptional measure, only applicable to the Government of the United States, should be abrogated.

The Government of the United States yields to none its desire to protect the public health, and claims that the searching and careful investigation conducted by a most competent officer detailed for the purpose by the Department of State, clearly established the unfounded and erroneous character of the statements regarding the alleged unwholesome qualities of American hog products, upon which the issue of the prohibitory decree was based. The result of the examination was presented to Mr. St. Hilaire by my predecessor, General Noyes, on the 23d of June, 1881.

I beg leave also to refer to the report of the National Academy of Medicine of France on the question propounded by the Government regarding the necessity of an inspection of foreign pork, and which, after referring to the free admission of American and German pork for many years, without inspection, and its extended use in the manufacturing and industrial districts of France, states that the disease called trichinosis, with the exception of a single case, has not been observed in any part of France.

I can but believe that your excellency's Government will, after a consideration of all the evidence now before it, cheerfully place the Government of the United States upon the same footing as all other friendly nations by the revocation of the decree.

I avail, &c.,

L. P. MORTON.

No. 25.

Mr. Roosevelt to Mr. Davis.

No. 99.] UNITED STATES CONSULATE,
Bordeaux, April 11, 1883. (Received April 25.)

SIR: I have the honor to inclose herewith a copy and translation of a petition from the dealers in American lard and pork, at Bordeaux, to the minister of commerce at Paris, France.

I am, &c.,

GEO. W. ROOSEVELT,
United States Consul.

[Inclosure in No. 99.—Translation.]

PETITION OF DEALERS TO THE MINISTER OF COMMERCE.

BORDEAUX, *April* 4, 1883.

SIR: We, the undersigned, dealers in American lard and pork at Bordeaux, have the honor to solicit from your kindness, Mr. Minister, the fulfillment of the promises which have been so often lavished upon us, by your claiming the recall of the decree of February 18, 1881.

The solution of this question can no longer be delayed; light is made, and our ports should be open to the free importation of those meats, indispensable to the nutrition of the poor classes, and the want of which has already caused so grievous a rise in the price of the food of workmen.

The spontaneous and disinterested step which has just been taken toward you, Mr. Minister, by Messrs. the president and delegates of the Chambers of Commerce of Paris, Marseilles, Bordeaux, and Havre, was to give us the hope that the just claims made in such pressing terms by the most considerable personalities of the French commerce, would have immediately brought forth the mere and simple recall of the prohibitive decree, and that you would thus have put an end to a state of things so fatal to the commercial and industrial welfare of our country.

But if you think of righting those just claims, we learn with surprise that you are going to study a bill which would consist in submitting the salt meats, upon their entering France, to a system of refrigeration, against the adoption of which we hasten to protest with great energy.

We know that since several years a patent has been taken for the preservation of meat by freezing; that the proprietors of that patent have been in search of the means of making use of it, but without any apparent success; but now they wish to find for it a lucrative use and easy profits, by having it adopted by the Government.

The application of that system would be disastrous and would completely impede that trade. Indeed, Mr. Minister, the excessive handling that the meat would have to go through before being submitted to the freezing, the unpacking of the cases, the hooking to the ladders for being more easily placed in the cellars, the repacking, etc., would cause such expenses, such waste, and such a depreciation of the quality, that it would be folly on the part of honest merchants to expose themselves to such risks.

To those annoyances, more than sufficient to cause such a scheme to be rejected, we must add that it seems to us impossible that the meats submitted to the action of freezing and passing to a high temperature could be preserved; and we maintain that statement in spite of the experiment of the laboratory made on one single ham. That trade should then be exposed to so many uncertain and unknown chances that there would be no safety in practicing it. Of all the proposed means, refrigeration is the one which we repel with most energy; but if the greatest part of the others present almost as grave inconveniences, one only has given proof of what it is worth, that is free circulation, which, for the last twenty years, never gave rise to the least claim, nor caused one single accident.

The return to common right is, then, the solution which we claim of your justice, Mr. Minister, as a redress for the harm done by the decree of February 18, and we claim it not only in the name of our trade, but in the name of public welfare.

That deplorable measure has, indeed, Mr. Minister, had for its effect to provoke in the American press violent and unjust attacks against all French products of food which France exports to the United States, which attacks, if they were perpetuated, would end in throwing discredit on those products, and in driving them from that important market.

Besides, the retaliation, of which the United States Government did not cease to threaten French commerce, has just received a commencement of execution, and the rise of the duties of entry which strikes our wines is such as will considerably reduce the exportation of them.

Now, we who had always foreseen such consequences to the decree of February 18, and that, in spite of interested denial, we do not hesitate in asserting that refrigeration will never be considered a reparative measure, since it will have all the effects of prohibition, but rather an indirect means of perpetuating the same, and that our Government will not succeed, by such a process, in forcing down the barriers which the new tariff has just raised against our products.

We well know the interest that you have in the national trade, and feel convinced that you will take in due consideration the observations which we have the honor to present to you, and that you will kindly admit our request.

We beg you, &c.

[Signatures of fifty-five dealers in American pork and lard.]

No. 26.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 333.] LEGATION OF THE UNITED STATES,
Paris, April 13, 1883. (Received April 25.)

SIR: Acting under the strange delusion which still exists in official circles, notwithstanding the overwhelming evidence to the contrary, that

American pork is subject to trichinosis, the French department of commerce is contemplating the organization of a system of curative measures to guard against the supposed infection by submitting all our salted meats to a freezing process upon their entry into France. Whether this new device would or would not destroy trichinosis where it happens to exist, it has dissatisfied all the French importers and dealers in American hog produce, who consider it as calculated to greatly injure the meat, and have protested in strong language against its application. You will find herewith a copy and translation of the petition they have addressed in this respect to the minister of commerce.

One of the leaders in this movement informs me that all interested in this business prefer simple prohibition to the apparent facilities offered by the application of the freezing process. It is the intention of the French dealers to push this matter as strongly as possible and to bring it before a cabinet meeting.

I again, a few days ago, called the attention of Mr. Challemel Lacour to this subject, and I am sorry to say that although he is personally in favor of the repeal of the decree of prohibition, and has urged it, he does not believe that his colleague will favor, at present, its abrogation. His reasons are that other countries have taken similar measures of prohibition, and that French scientists are divided upon the question of the danger which may result from the consumption of American meats.

I did not conceal from Mr. Challemel Lacour the fact that the continuance of this long-standing prohibition had already created much feeling at home, and that our people could not understand why such discrimination should be made against them, when the highest French scientific authorities had emphatically declared that the measure was groundless, and my apprehension that Congress would take some retaliatory action unless the decree was abrogated.

Mr. Challemel Lacour said he would again call the attention of his colleague to the matter.

The truth is, that the decree was rendered under the pressure of certain French packers who are still interested in its maintenance. By a strange coincidence, these very men, who are also producers of sardines and other canned articles, have been specially favored by our new tariff. * * *

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 333.—Translation.]

PETITION ADDRESSED TO THE MINISTER OF COMMERCE BY FRENCH IMPORTERS OF AMERICAN HOG PRODUCTS.

BORDEAUX, *April* 4, 1883.

To the Minister of Commerce, Paris:

MONSIEUR LE MINISTRE: We, the undersigned, merchants in American salted meats and lard at Bordeaux, have the honor to solicit your favor, Monsieur le Ministre, for the fulfilment of the promises which have been so often made to us in claiming the abolition of the decree of the 18th of February, 1881.

The solution of this question can be no longer delayed, light has been brought to bear on it, and our port should be opened to the free importation of these provisions, indispensable to the nourishment of the poor classes, and the absence of which has already caused an increase of price, so hard for the nourishment of workmen.

The spontaneous and disinterested petition which has just been made to you, M. le Ministre, by the presidents and delegates of the Chambers of Commerce of Paris, Marseilles, Bordeaux, and Havre, lead me to hope that the just claims, made in such pressing terms by the most important personages of French trade, should have im-

mediately brought about the withdrawal purely and simply of the prohibitive decree, and that you would have thus put an end to a state of things so fatal to the industrial and commercial interests of the country.

But, if you contemplate acceding to these just demands, we learn with surprise that you are about to consider a project which will consist in submitting salted provisions on their entry into France to a system of refrigeration, against the adoption of which we protest with the utmost energy.

We know that for several years past a patent has been taken out for the preservation of provisions by freezing, that the owners of this patent have been seeking means to utilize it, but apparently without success, since at present they rush to find for it a lucrative employment and easy profits in having it adopted by the Government.

The application of this system would be disastrous, and would completely damage the trade; in fact, M. le Ministre, the numerous manipulations which the provisions would undergo in order to be submitted to the influence of the cold, the unpacking of the barrels, the hanging on the ladders intended to facilitate the storage, the repacking, etc., would give rise to such expenditure, such damage and depreciation of quality that it would be foolish on the part of serious business men to expose themselves to such risks.

To these inconveniences, which are more than sufficient to cause the rejection of such a project, we should add that it appears to us impossible that provisions submitted to the action of the cold and to a high temperature can be preserved, and we maintain this statement notwithstanding the laboratory experiments on a single ham. This trade would then be exposed to so many risks and hazards that there would be no security to engage in it.

Of all the means proposed, refrigeration is that which we most energetically reject; but if the greater part of the others present inconveniences almost as serious, one only has been put to the test, that is, the free circulation, which for twenty years has never given rise to a single complaint or caused a single accident.

The return then to the common right is then the solution which we solicit from your justice, M. le Ministre, as compensation for the harm done by the decree of the 18th of February, and we claim it not only in the name of our trade, but in the name of public interest.

In fact, M. le Ministre, this unfortunate measure has had the effect of provoking in the American press violent and unjust attacks against alimentary produce exported by France to the United States, attacks, which, if continued, would end by throwing disfavor on such produce and driving it from this vast market.

Moreover, the reprisals with which the Government of the United States has not ceased to menace the French trade have received commencement of execution in the rise of the entry duties imposed on our wines, which is of a nature to considerably reduce the sale.

We, then, who have always foreseen such consequences from the decree of the 18th of February, and that in spite of interested denials, do not hesitate to affirm that refrigeration can never be considered as a compensating measure (since it will have all the effects of prohibition), but rather as an indirect means calculated to perpetuate it, and that our Government can never succeed by such a proceeding in overcoming the obstacles which the new tariff has just raised against our produce.

We know sufficiently well all the interest you take in the national trade to be convinced that you will take into consideration the remarks which we have the honor to place before you, and that you will favorably receive our petition.

We beg you, &c.,

[Signatures.]

No. 27.

Mr. Frelinghuysen to Mr. Morton.

No. 267.] DEPARTMENT OF STATE,
Washington, April 26, 1883.

SIR: Your dispatch No. 333, of the 13th instant, inclosing a copy of a petition addressed to the minister of commerce by French importers and dealers in American pork, has been read with interest as a valuable indication of the tendency of sound opinion in France on the question.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 28.

Mr. Wilson to Mr. Davis.

[Extract.]

No. 24.] UNITED STATES CONSULATE,
Nantes, May 17, 1883. (Received May 31.)

SIR: I have the honor to inclose herewith newspaper slips containing two communications continuing the history of the agitation concerning the decree for the prohibition against American pork and the interest of the city of Nantes therein.

The first, dated March 21, 1883, is from the Chamber of Commerce of Nantes to the minister of commerce at Paris, and seems to be a reply to the communication of the Chambers of Commerce of Paris, Havre, Marseilles, and Bordeaux, of which the Department has doubtless received information.

The second, dated April 16, 1883, is intended as a reply in anticipation to my report No. 12, December 5, 1882, the quoted notice of which appeared in the newspapers of the city. These communications are sufficiently important as giving the Department *all* the steps taken to justify their transmission, but scarcely sufficient to justify their translation or transmission in written form. If I should be mistaken in the latter supposition I will take pleasure in correcting it and sending the translations.

I am unacquainted with the Congressional documents referred to in the latter communication and should be pleased to have them furnished. I shall attempt no reply to any of these or similar communications without instructions to that effect from the Department. * * *

I have, &c.,

THOMAS WILSON.

[Inclosure in No. 24.]

Abstract of newspaper cuttings sent by Consul Wilson.

AMERICAN SALTED MEATS.

The Chamber of Commerce of Nantes addressed to the minister of commerce, under date of March 21, 1883, a letter, of which the following is the substance:

We have been informed that the Chambers of Commerce of Bordeaux and Havre have taken steps to obtain from you the abrogation of the decree of the 18th February, 1881, which prohibits the introduction into France of American lard, and that you approved of these steps.

Since the French Government, with a view to protect the people, adopted measures to prevent frightful and incurable disease arising from infected salt meats, it appears that nothing has been done to remedy this.

Before France had prohibited the importation of American salted meats the greater part of Europe had already done so. Further than this, they had prohibited French salted meats, not that they were suspected of the infection of trichinæ, but because France had continued to receive American pork, and it was difficult to recognize the same from the foreign. Consequently we have suffered because our exports have become impossible.

It seems to us that the time is badly chosen to abrogate the decree, for Germany has just prohibited American pork. England and Germany were the only countries which had not prohibited it.

We therefore pray you, Mr. Minister, to maintain the edict of the 18th of February. 1881, for the interest of public health, particularly of the workingmen.

[Signatures.]

Here on the other hand is the substance of the memorandum remitted to the minister of commerce by the delegates of the Chambers of Commerce of Paris, Marseilles, Bordeaux, and Havre, the 10th of March, 1883:

We have the honor to present to you as delegates the following observations concerning the harm caused to the merchant marine, commerce, and public food by the prohibition of American salted meats by decree of 18th February, 1881.

During past years the commerce of American salted meats procured annually 50,000 tons of freight for our merchant marine, representing about 40,000,000 kilograms of meats and a value of 50,000,000 francs.

Prohibition causes us to lose annually under form of freights, duties, transportations, etc., the sum of 15,000,000 francs, a difference of about 30 per cent. between the price paid in the United States and the consumer.

We will not enter into the appreciation of the scientific discussions which preceded and followed the prohibitive decree of 18th February, since they seem to have been definitively decided by the consulting committee of public hygiene in its sittings of the 4th August, 1879, 6th September, 1880, and 4th January, 1882, which resulted contrary to prohibition, and rejected microscopic inspections, from the fact that the habitual cooking of food in our country prevents all danger.

After a complete study of the question, the Academy of Medicine in Paris formed identical conclusions and proves equally that—

1st. Trichinosis is a well-known malady, and its symptoms can not be confounded with any other.

2nd. That in spite of all the researches made by the medical corps, whether in autopsies or otherwise, not a single case has ever been proved in France.

The academy also pronounced against microscopic inspection.

The question remains, then, is it a protective or a sanitary measure? In examining the votes which were given in the deliberating assemblies, it is remarked that the protectionists voted for prohibition and the free-traders against it.

You are not ignorant, Mr. Minister, that prohibition was applied following the excitement caused in the political world by the clever and energetically conducted campaign by the salters of meats, a campaign sustained by the agricultural journals and the "Society of Agriculturists of France." The society is composed in a greater part by large proprietors, eager to defend the interests they represent without considering that it is contrary to the interests of public nutriment.

We may add that, while the direct importation of American pork is prohibited, this same pork comes into French territory under the name of Belgian or German pork, and is consumed without a single examination.

It is no less true that last year there was received at the market of La Villette 36,000 hogs from Germany, more or less infected with trichinæ, which were delivered for consumption without previous examination. At the same time all scientific men agree in declaring that fresh pork in which trichinæ are alive is much more dangerous than salt pork; in fact, it is only fresh pork which is dangerous. If the use of it did not cause sickness it was simply on account of our habit of cooking.

Besides, the habitual consumers of American pork have never been frightened. It is difficult to make them believe that what they have eaten with impunity for twenty years can be unwholesome.

The same motives which have impelled France induced Germany to prohibit American pork. The raising of pork in Germany has increased so much that it seeks foreign consumers. As we stated above, 36,000 hogs were sold at the single market of La Villette in 1882.

The point is, Mr. Minister, that prohibition of American pork touches the economic interests in a serious manner. Prohibition, in depriving the working classes from cheap food, causes them to demand higher wages, and harmony between proprietor and workmen is disturbed, and it is vexatious to state that this comes at a time when foreign industry is making great efforts to supplant our manufactures.

Americans consider these prohibitory measures vexatious. A reduction of duties on French products in the United States is extremely desirable for us, but so long as this prohibition lasts there will be no reduction, and perhaps retaliation may be expected.

To sum up, we request that the trade of American hog products should remain free, as it was before February 18, 1881, for we consider it is the only way in which our commerce will regain its activity and our working class cheap food.

To obtain this double object it will be sufficient—1st, to withdraw the project of the law laid down at the Chamber of Deputies; and 2d, to annul purely and simply the decree of prohibition.

The Chamber of Commerce of Nantes received a petition, which is submitted to the minister of commerce, the substance of which is as follows:

NANTES, *April* 16, 1883.

Some days ago we read in La Geronde, a Bordeaux paper, that the prohibition of American trichinæ pork would result in rendering the relations between proprietors and workmen difficult to sustain.

At this astonishing revalation we were contented to smile, thinking the cause must be a very bad one to have to resort to such arguments; the more so when we read from Mr. Baillet's essay on the inspection of meats (M. Baillet is veterinary-in-chief of the city of Bordeaux):

"American salt meats will never fill an important place in consumption beyond the wants of the marine. Experience has already decided on this point. In our port we have seen some attempts to popularize these meats among the work-people of Bordeaux, but without success."

We will add that since the decree of interdiction our farmers have raised hogs in such quantity that French salt meats are less in price than American, taking as basis the Antwerp market price.

The declaration of the United States consul at Nantes that "interested influences acted to bring about the prohibition of importation of American pork," can not be admitted. We would ask if the same influences acted in other states of Europe, such as Spain, Portugal, Italy, Greece, Hungary, Austria, Germany, who have equally prohibited the same. The Hon. Mr. Tirard, in his speech of 24th May, 1881, stated that England refused to receive American trichinæ pork, which they wished him to ship to France.

We can understand why the consul should ignore the sanitary edicts by different Governments of Europe. He probably knows of the numerous cases of trichinosis which the American papers are full of.

We equally think that he must have heard of the report of Mr. Clipperton, English consul at Philadelphia, in which he states that 700,000 hogs died of trichinosis in 1880 in the United States, which is less than in 1879, when the State of Illinois declared that 1,391,000 hogs died of the same epidemic. The Commissioner of Agriculture, in his report for 1878, states: "In less than half of the territory of the United States the annual loss on hogs alone is $10,094,400, which is occasioned by a malady which is not understood by farmers or hog raisers. I have thought the subject of so much importance that it is worthy of serious study. The health of our citizens demands the finishing of this study, for it is a notorious fact that herds of hogs are transported to the nearest market or killed by their owners for shipment as soon as the malady appears among them!"

We understand that the consul has no knowledge of what passed at the Chamber of Commerce at Havre on 5th May, 1881. "At Havre the proportion of 6 to 8 per cent., which it was at the commencement of the service of inspection of the microscopic engineers, attains to-day to 15 to 20 per cent. The Havre merchants, to simplify and hasten the re-exportation of their products, agreed with the merchants of Antwerp to allow a reduction of 50 per cent. on meats recognized as affected with trichinæ."

But we can not suppose that the consul has heard of the report of Dr. Detmers on trichinæ. Report printed with 100,000 copies by order of Congress; 60,000 of which for use of members of Congress, 25,000 for use of Senators, and 15,000 for the Commissioner of Agriculture.

After numerous accounts of accidents occasioned by trichinæ in America, the remedy proposed by Dr. Detmers, officially charged by the American Government to study the question, is: "A complete destruction of hogs in the region where the malady prevails is the only efficacious remedy. In each place where pork is raised a competent inspector should be placed, with the necessary authority to put into strict execution all the measures ordered by him. Every proprietor should be obliged by law under severe penalties to notify within twelve hours to the inspector of every case of trichinosis among his herds, or if he know of any existing in other herds. Every sick hog should be killed and burned, and objects which have been in contact with them should also be destroyed. All importations of foreign pork should be severely forbidden, unless it is proved that there is no contagion among them. All other remedies are good for nothing, and the country would be in continual danger."

Such is the conclusion of Dr. Detmers, appointed by Congress to make investigations on trichinæ.

No. 29.

Mr. Frelinghuysen to Mr. Morton.

No. 294.] DEPARTMENT OF STATE,
Washington, June 22, 1883.

SIR: Your No. 324, of the 4th instant, in relation to the French prohibition of the pork products of the United States from importation into France, has been received. Your note to Mr. Challemel Lacour is approved.

When the question of prohibitory measures against imports of American pork was lately under discussion in the German Reichstag the President extended to the German Government an invitation to send a commission of experts to the United States to investigate on the spot the operations of hog raising, slaughtering, and packing, and so satisfy itself that the conclusions reached by this Government, after a searching investigation, are sound. The German Government did not, however, find it practicable to act in season upon this suggestion.

I send you for your information a copy of the instruction sent to Mr. Sargent, conveying this invitation.* It might perhaps be embarrassing to extend a like formal invitation at this late day to the French Government, but you are at liberty to mention the circumstance to Mr. Challemel Lacour as an additional illustration of the conviction felt by this Government that the charges of unsoundness and deleteriousness brought against the pork products of the United States are without adequate foundation, and of the confidence with which we court the fullest investigation of the facts. You may say to the minister that is is probable that the President will, during the present year, designate a commission of the most eminent scientific men of this country to examine into the matter and make a searching and impartial report. If Mr. Challemel Lacour should express a desire to have a French representative appointed on such commission, or to send a French expert to act in concert therewith, you will say to him that such co-operation would be gladly welcomed.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 30.

Mr. Brulatour to Mr. Frelinghuysen.

No. 371.] LEGATION OF THE UNITED STATES,
Paris, July 17, 1883. (Received August 2.)

SIR: Referring to your dispatch No. 294, of the 22d of June, in relation to the commission of experts which the President will probably appoint during the present year to investigate on the spot the operations of hog raising, slaughtering, and packing, I have the honor to state that I acquainted Mr. Challemel Lacour with the intention of the President, and took occasion to say that should the French Government desire to appoint a French examiner, to act in co-operation with this commission, such co-operation would be gladly welcomed.

Mr. Challemel Lacour seemed rather pleased with the idea of putting this matter in the hands of experts well qualified to report fully and impartially, and said he would mention the subject to his colleague, the minister of commerce, and inform me of his decision.

I have, &c.,

E. J. BRULATOUR.

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* See Instruction No. 87, February 16, 1882, to the United States minister at Berlin.

No. 31.

Mr. Davis to Mr. Brulatour.

No. 337.] DEPARTMENT OF STATE,
Washington, August 28, 1883.

SIR: Referring to dispatch No. 48 of your legation, of the 6th of October, 1881, I have to request you to send to Mr. Schuyler, the American minister at Athens, six copies of the French translation of the pamphlet on American pork issued by this Department. You may also send six copies of the translation to this Department, if you have them to spare.

I am, &c.,

JOHN DAVIS,
Acting Secretary.

No. 32.

Mr. Roosevelt to Mr. Davis.

No. 126.] UNITED STATES CONSULATE,
Bordeaux, September 26, 1883. (Received October 15.)

SIR: I have the honor to transmit herewith a copy and translation of a letter addressed to the minister of public works (M. Raynal), at Paris, France, by the merchants of Bordeaux dealing exclusively in American salt pork and lard.

I am, &c.,

GEO. W. ROOSEVELT.

[Inclosure in No. 126.—Translation.]

Bordeaux dealers in American pork to the minister of public works.

SYNDICATE OF THE TRADE IN AMERICAN LARD AND SALT PORK, BORDEAUX.—A STATEMENT RELATIVE TO AMERICAN SALT PORK.

American salt pork is freely admitted in England, Belgium, Holland, Sweden, Norway, and Switzerland; in Spain it is subjected, as is German pork, to inspection by experts.

With the exception of Germany, those European nations which have interdicted the use of American salt pork consumed very little of that article; Austria-Hungary, for instance, has never imported it directly.

Germany, therefore, is the only country in which American pork was consumed that has followed the example of France, and we assert that in that country, as in others, the health question was but a pretext to favor the farmers. The articles which appeared in the liberal German newspapers leave no doubt of this. It has, moreover, been frequently shown by official documents (as evidence of which we refer to Mr. Wurtz's report to the senate) that all the cases of trichinosis known to have occurred in Germany were due to the eating of fresh pork, while not one was caused by eating American salt pork.

There is consequently great cause to regret the adoption of a measure which is still kept in force without sufficient reason, and which deprives the laboring classes of a cheap article of food for which no substitute has as yet been found. The managers of large industrial or mining establishments have made serious complaints on this subject, which have found an echo in the commission of the chamber of deputies.

In France our pork butchers sell the greater part of their pork fresh, and salt those parts only that are sold at a higher price, as, for instance, hams, breasts, and fat backs. In America the salters salt all the parts of the animal; now, the shoulders and the strips with lean, which are excellent though cheap pieces, and which, for the latter

reason, are not salted by French butchers, formed the greater part of our imports, that is to say, from 32,000,000 to 33,000,000 of kilograms; the other cuts amounted to scarcely 8,000,000 of kilograms. The latter—that is, hams, breasts, and fat backs—were sold by the butchers at high prices as French productions.

Shoulders and strips containing lean were, on the contrary, bought by grocers, who, being accustomed to smaller profits, sold them to the poorer classes, among which they were in great demand, owing to their cheapness and good quality.

In order properly to appreciate the consequences of the decree of February 18, it is not sufficient to compare the prices of pork before and after that date; comparison should also be made between those prices and those at which grocers sold a kind of pork which is no longer to be procured in the French market. Moreover, as Mr. Achard's report contains precise data with regard to the average rates which prevailed previously to the prohibition, there is no need of referring to that; it appears to us that it will be more interesting to compare the prices at which French and American salt pork is now sold:

AMERICAN SALT PORK.

[Prices at which it could be sold at wholesale in French ports, with the duty paid, per 100 kilograms.]

	Francs.
Shoulders	80 to 82
Strips with lean strips	90 to 92
Breasts	115 to 120
Chines	120 to 135
Hams	145 to 160

FRENCH SALT PORK.

[Wholesale prices per 100 kilograms at Paris, Lyons, and Bordeaux.]

	Francs.
No equivalent.	
No equivalent.	
Breasts	135 to 150
Chines	140 to 160
Hams	200 to 220

If we compare the above prices with the retail prices we shall see what enormou profits the pork butcher makes in dealing with the consumer, owing to the monopoly which has caused the adoption of the prohibitory measure.

If, moreover, we consult the table given below, the figures of which are taken from the market reports of Bordeaux and Paris, we observe that producers now receive lower prices for their swine than they did prior to 1881.

Average price per 100 *kilograms, net weight.*

	Third quarter, 1880.	Fourth quarter, 1880.	First quarter, 1881.	First quarter, 1883.	Third quarter, 1883.
Bordeaux	130 to 140	128. 50 to 136	137 to 142. 50	104 to 114. 50	104. 50 to 114
Paris Villette	.....	.....	149 to 182	122 to 142	127 to 156. 50

Extraordinary as this consequence of prohibition may at first sight appear it is explained by the competition of the neighboring nations. Germany, whose hogs are by no means free from disease, sent 46,000 of them to the Paris market in 1882. Spain also sends her swine to our city. Austria-Hungary sends us its salt bacon, and other neighboring nations send us salt pork which is probably American; we say probably, because it is absolutely impossible to determine the real origin of any piece of pork.

The pork butchers are therefore the only ones who now have no competition to contend against, and who, owing to the exceptional state of things which has been caused by the decree of February 18th, are growing rich at the expense of both producers and consumers. At the time when the decree was promulgated they did not foresee the results which have inured so greatly to their benefit, for on the very day following its promulgation they all protested against the very measure which they now, with the same unanimity, ask to have kept in force. To cite but one fact in support of this assertion, we refer to a petition sent from Lyons, the signers of which, who had, it appears, engaged in an unfortunate speculation, requested the Government to adopt still more stringent measures, inasmuch as such measures would have afforded them relief by enabling them to dispose of the stock of goods which they had on hand at a large profit.

Now that the wholesome character of American pork is no longer seriouly disputed, even by our adversaries, there remain in behalf of prohibition none but the reasons put forward by protectionists. We have faith in the liberalism of the Government, and feel confident that it will treat those superannuated theories as they deserve; and since the fears no longer exist which, as we are assured, alone call forth the decree of prohibition, we trust that the days of prohibition are now numbered.

We ask, together with the merchants of Havre and Marseilles, for the revocation, pure and simple, of the decree of February 18, 1881; yet, in order to satisfy every-

body, we should be perfectly willing to have pork subjected to sanitary inspection on its arrival, with a view to furnishing evidence of its good condition.

We do, however, object to the other methods proposed, such as microscopic examination or refrigeration. These we consider as being impracticable, and of such a nature as to give rise to obstacles which would be equivalent to prohibition.

BORDEAUX, *September* 8, 1883.

[Signatures.]

No. 33.

Mr. Frelinghuysen to Mr. Morton.

No. 364.] DEPARTMENT OF STATE,
Washington, October 9, 1883.

SIR: With reference to previous correspondence on the subject, I have to inform you that in view of the action taken by Germany and several other foreign powers in prohibiting the importation of American pork upon the ground that it is an unhealthful article of food, this Government has now taken measures for such a thorough investigation of the subject as will, it is thought, leave no doubt whatever as to the facts.

To this end the President has designated a commission, which he has charged with the duty of making a searching and impartial examination of all the conditions of hog raising and packing industries of the United States. The chairman of the commission is Dr. George B. Loring, the Commissioner of Agriculture, whose official duties for several years past have made him very familiar with the subject now submitted to the commission for formal investigation.

The other members of the commission are:

1st. Prof. C. F. Chandler, an eminent scientist of New York, who was unanimously selected by the chamber of commerce of that city on account of his peculiar competency for the position;

2d. Eliphalet W. Blatchford, esq., who was nominted by the board of trade of Chicago as an intelligent gentleman of the very highest social and business standing, who "is in no way personally interested in the business to be investigated and is possessed of those characteristics which it is believed will enable him fully, ably, and fairly to co-operate with the members of the commission in placing these most important interests in their true position before the Government, and through it before the commercial world;"

3d. F. D. Curtis, esq., of Charlton, N. Y., recommended by the Department of Agriculture as a gentleman who has given long and diligent study to the industry; and

4th. Prof. D. E. Salmon, of Washington, D. C., nominated by the Commissioner of Agriculture, and well known as one of the most learned and skillful veterinary surgeons in the United States.

This commission will be organized at an early day, and the results of its investigation will be submitted to Congress as soon as practicable.

It appears from Mr. Brulatour's dispatch No. 371, of the 17th of June last, that when he informed the French foreign office of the President's intention to appoint this commission Mr. Challemel Lacour seemed pleased with the proposal and promised to mention the subject to his colleague, the minister of commerce, and inform the legation of the result. The Department not having as yet been advised as to the decision reached by the French Government in regard to the matter, I will thank you to lose no time in informing the foreign office of the action which the President has now taken in reference to the subject.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 34.

Mr. Glover to Mr. Davis.

No. 51.] UNITED STATES CONSULATE,
Havre, October 15, 1883. (Received November 2.)

SIR: In a speech delivered at a banquet in this city last evening Minister Ferry made the following remarks in regard to American salt meats, which I translate and forward for your information.

I am, etc.,

JOHN B. GLOVER,
United States Consul.

[Inclosure in No. 51.—Extract from Minister Ferry's speech.—Translation.]

There is, nevertheless, one of your claims of which I must immediately say a word, for it is a question of the utmost importance to the interests of this illustrious city, so well presented a moment ago in the speech of your honorable deputy, Mr. Penlevey. It is of American salted meats.

On this question you preach to one converted. I partake of your sentiment on the liberty of the commerce of salted meats, but I think also that it is proper to take account of the opinion of a certain portion of the public, on the question of healthfulness, to which science is searching to give a solution. At this moment, while I am speaking, the question is being studied by the most important of Government bodies the health committee.

Let it only give a guaranty covering the responsibility of the Government keeper of the public health, and the solution will be nigh. For myself I will do all I can, I assure you, and I hope that in the near future the question will be resolved in a democratic and liberal sense, not only for commerce, but also for the population that it sustains.

No. 35.

Mr. Wilson to Mr. Davis.

[Extract.]

No. 30.] UNITED STATES CONSULATE,
Nantes, October 20, 1883. (Received November 9.)

SIR: I have the honor to inclose slips from newspapers published in Nantes, which I transmit for your information, concerning the public feeling in this locality anent the subject of the prohibition of American pork. This feeling, as I have heretofore shown (dispatch No. 12), had its foundation in interested motives, those looking to the protection of the pork manufacturers of this vicinity; and doubtless these motives continue their influence. * * *

I have, &c.,

THOMAS WILSON,
Consul.

[Inclosure in No. 30.—Extracts from newspapers published at Nantes.—Translation.]

MUNICIPAL BOARD OF NANTES.

Mr. Normand, in behalf of the salters of our city, moved that the Government should be requested to maintain the decree prohibiting the importation of American bacon.

On a recent occasion, and with a certain solemity, said Mr. Normand, the revocation of this decree was asked for by the merchants of Havre.

It is important that we take measures to protect the health of all our people, and that we act in behalf of our manufacturers and farmers, who would be seriously injured if the Government were to abate the stringency of the measures which have been adopted.

Mr. Normand did not propose to address the deputies and senators of the department, doubtless lest it should then be necessary likewise to thank them collectively. He requested the mayor to prepare a letter to the minister of commerce asking for the maintenance of the present state of things.

The board requested the mayor to convey the expression of its wishes to the ministers.

* * * * * * *

AMERICAN SALT PORK.

In a previous number we said: "In our opinion these serious questions call for serious examination and discussion, and require that all the documents be laid before the parties interested."

We consequently now publish a translation of an important report, made by the British consul at Philadelphia, which has been very little read in our country.

THE CONTROVERSY WITH REGARD TO HOG CHOLERA—IMPORTANT CORRESPONDENCE—CONSUL CLIPPERTON'S DEFENSE—REPLY OF THE COMMITTEE.

The following correspondence relative to the reports made on hog cholera in the West requires no explanation. It will be remembered that Messrs. Orr, Fowler & Sinclair called recently on Consul Clipperton in relation to his report to his Government, in which he stated that 700,000 hogs had died of hog cholera in the State of Illinois. On their return these gentlemen prepared a report, which was published in full in the Bulletin, and requested Secretary Blaine to take the matter in hand. Consul Clipperton subsequently addressed the following letter to the committee:

MARCH 10, 1881.

Messrs. ORR, FOWLER & CO.,
Special Committee of the New York Stock Exchange:

GENTLEMEN: According to my promise to acquaint you with the result of my latest investigations relative to the hog disease in the State of Illinois in the year 1880, I have the honor to inform you that all the statistics of the State of Illinois for the year 1880 have not yet been published. If you will refer, however, to volume 16 of the reports of the Illinois Agricultural Department (for 1878), pages 377 and 378, under the heading "Hog Cholera," you will find that the number of hogs was 3,334,920, and that the number of those which died of disease was 474,758; that is to say, 14 per cent. of the whole. The loss in money is estimated at $1,438,589. In volume 17 (for 1879), page 383, the number of hogs destroyed by cholera from May 1, 1878, to May 1, 1879, is stated to have reached the enormous figure of 1,391,422 head, and the weight is stated to have been 139,893,508 pounds, being an average of 100 pounds per head. In a single county (Warren) 59,544 hogs died. On pages 544 and 545, the number of hogs lost up to May 1, 1880, is estimated at 182,577.

These statistics do not include the young pigs (the census having been taken in April), and hundreds of thousands are born after that date, among which there must have been more or less mortality from hog cholera.

The Department of Agriculture at Washington, without having been able thus far to give the exact figures, has expressed the opinion that the number of hogs that died in Illinois in 1880 was not less than 300,000.

This information was recently communicated to me by letter. Taking these figures into consideration, and bearing in mind the fact that the swine plague or hog cholera must have its fluctuations, it is very probable that if the amount of the present mortality could be made known the total number would differ little from that stated, *i. e.*, 700,000 head.

There is certainly a remarkable difference between the figures 1,391,422 for the year ending May 1, 1879, according to the report of the Illinois Agricultural Department, and those announced by Mr. Fowler for 1880, *i. e.*, 700,000 head.

Allow me to call your attention to the concessions which you were disposed to make, at the close of our long but interesting interview on Monday last. These concessions were: 1st. That the consular report to my Government did not concern the State of Ohio; 2d. That the report made by me to my Government was not a special report, but formed part of the monthly sanitary report which all consular officers, in all parts of the globe, are required to furnish; 3d. That hog cholera exists and has existed for years in all the States in which hog-raising is carried on on a large scale; 4th. That trichinosis is a disease which affects the human system, and that it is caused by the

use of unwholesome or raw pork. The patience and intelligence shown by you in the discussion of this subject, together with your affable manners, have merited our most sincere respect, and I take this opportunity to express my regret that the committees of other cities, as well as many of the daily papers of this country, have not shown the same moderation relative to this matter.

Now, gentlemen, allow me to quote from a report received this morning from Chicago: "It now appears that the State of Illinois, and not that of Ohio, is the one in which 700,000 hogs died in 1880, and my opinion is that the parties interested are *disposed to let the question rest, and that they will not ask for an investigation.* Should it be decided to hold one, the result might be quite different from the statements of the boards of trade of New York, Philadelphia, St. Louis, Chicago, Indianapolis, Cleveland, &c. I think I know that several members of the Chicago committee have made a trip to Springfield, the capital of the State of Illinois, and it is likely that the statistics which they have seen there have edified them as to the mortality among swine in that State."

The reasons that induced you to publish the decisions which condemned the consular reports will doubtless lead you to publish this letter.

I further beg leave to quote certain passages from official reports concerning agricultural matters in the United States.

Does the swine plague, otherwise known as hog cholera, exists in this country?

The Commissioner of Agriculture at Washington, in his report for 1878, says:

"For less than one-half the territory of the United States they show annual losses amounting to $10,091,483 in swine alone, and for all other classes of domesticated animals the losses are given for the same counties at $6,561,945, making a grand total of $16,653,428.

"These figures indicate that the losses of farm animals throughout the United States annually aggregate the sum of $30,000,000 or more. As at least two-thirds of this amount seemed to be sustained in the loss of swine from affections which appeared to be but little understood by the farmer and stock raiser, I regarded the subject of sufficient importance to call for an appropriation to defray the expenses of a scientific investigation into the causes of many of the more malignant, infectious, and contagious diseases of domesticated animals, but more especially of those incident to swine. * * *

"In addition to the saving of so vast an amount of property, the health of our people demands the completion of this work, as it is a noteworthy but lamentable fact that many herds of hogs are shipped to the nearest market, or are slaughtered by the owner for marketable purposes, as soon as disease makes its appearance among them." (Pages 24 and 25, report for 1878.)

Is the disease known as hog cholera contagious?

Dr. Detmers, in his report to the Department of Agriculture for 1878, says:

"The contagion or the infectious principle is and has been disseminated through the whole country in a wholesale manner, as I shall show immediately. During the first month of my presence in Champaign I stopped at the Doane House, a hotel belonging to the Illinois Central Railroad Company, and constituting also the railroad depot. Every night car-loads of diseased hogs destined for Chicago passed my window. Only a very short time ago, on one of the last days of October, a farmer, J. T. M., living near Tolono, sold sixty-seven hogs (some, if not all of them, diseased, and a few of them already in a dying condition) for two cents a pound to be shipped to Chicago. I could cite numerous instances, but I think it not necessary, because these facts are known to every one where the swine plague is prevailing. Besides, in nearly every little town in the neighborhood of which cases of swine plague are of frequent occurrence is a rendering establishment to which dead hogs are brought. These establishments pay one cent a pound, and the farmers haul their dead hogs, sometimes ten or fifteen miles, in open wagons, past farms, barns, and hog-lots, and disseminate thereby the germs of the disease through the whole country. The transportation of dead hogs by wagon, I admit, might be stopped by state laws, but the latter prove usually to be ineffective where railroad companies (interstate and international traffic) are concerned."

In his entire report Dr. Detmers shows that the swine plague or hog cholera is a contagious and infectious disease, that it is easily communicated by one animal to another, either by direct inoculation or by the introduction of the infectious principle into the digestive organs in the form of food or drink; that a very small quantity of the virus or infectious principle is sufficient to cause the disease; that the infection may be transmitted to other species of domestic animals; that so harmless a liquid as milk will produce the disease with as much certainty as direct inoculation from a dead or diseased hog, and that the contagion is transmitted from herd to herd and from farm to farm. (Special report of the Department of Agriculture, No. 22, for 1878.)

Mr. Robert Hodson, a store-keeper in Oquawka, made the following statement:

"I have a farm on the banks of Hend erson River, and last year kept quite a herd

of hogs. One morning I found lodged at my hog lot, which joins the river, a dead hog, which had come down stream, and had probably been thrown in some distance above. My hogs discovered it earlier than I and were feeding on the carcass when I came. Ten days later they commenced to die. My loss amounted to fully $1,500."

Mr. Miller's whole herd consisted of 240 head, and 237 died; only three survived or remained exempted. At that time no other case of swine-plague existed in the whole neighborhood, and, according to the best information I could obtain, there was none within twenty miles. Soon, however, the disease commenced to spread from Mr. Miller's herd to those of his neighbors, first to the herd of his neighbor towards the north; the prevailing wind was from the south; then all around, and finally over the whole township, and beyond. In November, 1878, Mr. Miller, when he had only three hogs left, bought again about thirty-two head. These, too, very soon became infected, and commenced to die at the rate of one, two, and three a day.

Pat Murphy lives one and a half miles south of Gap Grove. Up to January 2 he had lost five hogs out of a herd of ten head; seven had been sick, but two had recovered. * * * Those of his next neighbor south, Mr. Hadeler, became affected next. Mr. Hadeler lost 100 head, and saved 9. * * *

A radical extermination is the only thing that will be effective, unless it can be proved that a spontaneous development is taking place or can take place within the borders of the United States. Fortunately the low temperature of the winters in our principal pork-producing States facilitates a stamping out, if undertaken at the proper time in the winter and in the spring, because a low temperature (frost), and especially snow, interrupt very essentially the propagation of the disease germs and the spreading of the disease, and, although not absolutely destroying or killing the bacilli and their germs, cause a great many of them to perish or to be in a dormant state for some time. Besides that, the number of hogs and pigs in existence from the first of January to the first of April is a comparatively small one, because most of the hogs have been shipped and butchered and the young pigs have not been born. But the measures of extermination or stamping out must be thorough. * * *

Although not called upon to propose any law or legislation, I consider it my duty to lay before you a plan which, if executed, will lead to a prompt and effective suppression and the final extinction of that terrible plague which costs the country every year many millions of dollars, and undermines the prosperity not only of individual farmers, but of whole States. (Special Report No. 22, p. 45.)

CAN HOG CHOLERA AFFECT THE HUMAN SYSTEM?

Dr. Detmers says: "It may also not be out of place to relate a case that occurred last summer in Knox County, Illinois. A well-to-do and highly respectable family, residing near Yates City, lost, in last July, three children, aged, respectively, thirteen, five or six, and two and a half or three years, of a disease diagnosed by the attending physicians as diphtheria. The two remaining children of the same family also became affected, but recovered. Five physicians were in attendance, and made a careful research as to the possible cause or causes, and could find but one thing which might be construed as such. The family used ice which had been taken from a creek into which, above, some hogs (hogs that had died of swine plague) had been thrown just before the water of the creek became frozen. My informants are a highly-respected physician in Biggsville, Dr. Maxwell, and a near relative of the afflicted family, Mr. John McKee, who has a drug store in the same place." (Special Report No. 22, p. 45.)

In conclusion, although by no means ignorant of the result, it is unnecessary for me to follow up the question of trichinosis any further. All who read the newspapers know that serious cases occur in the various sections of this country and in Europe. It is moreover not for me to mention in this connection *the complaints which every now and then come from European ports with regard to the inferior quality and bad condition of the salt pork shipped thither, which cause it to be rejected by foreign inspectors,* occasion serious losses to importers, and bring American pork exports into discredit; nor is it for me to expatiate upon the causes of the difference of opinion between the chamber of commerce of this city and the United States consul at Brussels with regard to the certificates of inspection issued by the Government.

I am, &c.,

R. C. CLIPPERTON,
Consul of H. B. M.

MUNICIPAL BOARD OF NANTES, SESSION OF OCTOBER 18, 1883.

Mr. Normand remarked that the importation of American salt pork had been prohibited by a decree of February 18, 1881, owing to the prevalence of trichinosis in America. Mr. Tirard, he said, had issued that decree after a careful investigation, and Germany, Turkey, Italy, &c., had followed the example of France. Mr. Nor-

mand said that the minister of commerce, during a visit recently made by him to Havre, appeared to have lent too attentive an ear to the complaints of the merchants of that city, and there was reason to fear that the Government would revoke the decree of February 18, 1881. Mr. Normand therefore moved that the municipal board should adopt the following resolution:

"Whereas the decree of February 18, 1881, prohibited the importation of salt pork from America, because it had been found that such pork contained trichinæ, and that it could not be eaten without endangering the public health; and

"Whereas American pork is still trichinous, which is the best answer that can be made to the merchants of Havre, who are urging the Government to rescind the aforesaid degree at the risk of introducing trichinosis into France, which malady is frequently fatal to mankind, and may cause the destruction of all the swine in the country:

"*Therefore*, be it resolved that this municipal board request the Government of the French Republic rigorously to maintain the decree of February 18, 1881, and to disregard the wishes of the merchants of Havre."

Mr. Lechat thought that the importation of American salt pork was prohibited only when it was found to be trichinous, but that it was an error to suppose that the importation of all salt pork from America was indiscriminately prohibited. He said that the proper thing for the Government to do was to cause the pork brought from America to be carefully examined. Otherwise the French people would be deprived of an important article of food. Meat, he said, was already sold at very high prices; the rise in the price of beef, for instance, had been nearly 15 per cent. during the past year.

Mr. Lechat added that great strictness was necessary in the case of trichinous pork, for deception was easy. The Americans, said he, put choice pieces of meat at the top of the barrel and the diseased pieces beneath. Inspection is difficult, and it should be carefully performed. The Government had stated in reply to Mr. Penlevey, the gentleman who pleaded the cause of trichinous pork at Havre, that the governmental board of health should examine the question. The minister of commerce had said nothing more, and intentions should not be attributed to him which he perhaps had never entertained.

Mr. Lechat therefore thought that nothing more than a rigid inspection should be asked for.

Mr. Normand said that he simply asked for the maintenance of the decree of February 18, 1881. The prohibition thereby established, he said, was absolute.

Mr. Normand's motion was unanimously adopted.

His honor the mayor said that he would transmit the resolution which had been adopted to the Government, but that he had already transmitted a similar request from the merchants of Nantes, to which Mr. Ferry had replied by declaring that he would make no change in the decree without a thorough examination.

No. 36.

Mr. Morton to Mr. Frelinghuysen.

No. 425.] LEGATION OF THE UNITED STATES,
Paris, October 21, 1883. (Received November 3.)

SIR: Having had recent conversations with the President, the president of the council, and other members of the cabinet with reference to the decree prohibiting the importation of American salted meats, I deemed the present a fitting time to address another dispatch to the minister of foreign affairs, restating the reasons why my Government had expected for a long time the withdrawal of this decree, and asking the early and earnest consideration of the question by the French Government.

I have the honor to inclose a copy of my communication, which I hope will meet the approval of the Department.

I have, &c.,

LEVI P. MORTON.

[Inclosure in No. 425.]

Mr. Morton to Mr. Challemel Lacour.

LEGATION OF THE UNITED STATES,
Paris, October 20, 1883.

SIR: I beg leave to call again your excellency's attention to the subject-matter of my note of March 23, 1883, representing the injustice of the long standing decree prohibiting the importation of American salted meats.

The conversations I have had the honor to hold with your excellency and other members of the cabinet in relation to the decree had led me to believe that it would have been repealed long ago. I regret to say that it is still in force, and I must add that I fail to see upon what ground a measure so prejudicial to the true interests of two great countries so friendly allied as France and the United States are, is so persistently retained.

The present minister of commerce believes it uncalled for. His predecessor openly advocated its repeal in the Senate; the constitutional head of the government, the president of the council, has publicly declared that he disapproves of it; your excellency opposed it in the senate chamber. The house of deputies expressed itself unequivocally in favor of its repeal, and the senate, while declining by a bare majority to interfere in the matter, left the government free to take its own course; the Academy of Medicine of France has declared it unnecessary; the board of public hygiene has made the same authoritative declaration, and the great chemist, Mr. Wurtz, who is paramount authority for the whole scientific world, has demonstrated in unanswerable language its absolute inutility.

A moment's consideration will, I trust, satisfy your excellency that, on the ground of public health, it would be much more justifiable to exclude French wines from America than it is to prohibit American meats in France. The French scientific authorities do not contend that the consumption of American meats is dangerous, while they do contend that some French wines are adulterated to an extent prejudicial to public health.

On the one side there is the evidence of the most competent of your learned institutions in such matters that American salted meats are inoffensive; on the other there is the evidence of your own officials that French wines are manipulated in such a manner as to make them unhealthy.

Yet, notwithstanding the overwhelming weight of such facts, and in spite of the repeated complaints of the French chambers of commerce, and of the earnest representations of the United States, this obnoxious decree has remained standing for nearly three years, and has had the mischievous tendency of alienating from France the powerful commercial interests of our Western States. Your excellency cannot be unaware that the growing dissatisfaction caused by this extraordinary discrimination, only applicable to the United States of all the countries with which France is on friendly relations, against one of the most important products of the United States is likely to give rise to discussion in the Congress about to convene at Washington, which might result in measures which would seriously affect Franco-American commerce in some of its most important branches.

If I call your excellency's attention to these facts it is by no means with the intention of threatening the French Government with retaliatory measures, which, so far as I am informed, are not contemplated by my Government, but simply to show that the interests which are provoked to take such a course could find substantial reasons to support the position.

Believing that the French Government would satisfy itself that the decree was issued under a misapprehension, and cheerfully abrogate it, neither the Government nor the Congress of the United States, notwithstanding the constantly increasing pressure of public opinion, has taken any action with reference thereto.

I *can not* doubt that your excellency will, upon a review of the evidence in your *possession,* concur with me in the opinion that the results of the searching investigations *conducted* by competent officers of both countries have clearly established the unfounded and erroneous character of the statements regarding the alleged unwholesome quality of American hog products upon which the issue of the prohibitory decree was based.

I avail, etc.,

L. P. MORTON

No. 37.

Mr. Glover to Mr. Davis.

[Extract.]

No. 52.] UNITED STATES CONSULATE,
Havre, October 22, 1883. (Received November 9.)

SIR: Our commercial relations with France and Germany are likely to be very fully discussed during the next session of Congress. The edict promulgated by Mr. Tirard in 1881, which prohibited the importation of American salt meats into this country, demands, and will, I doubt not, receive the most careful consideration by that body. In my judgment it is one of the most important questions that will come before the ensuing session. It is gratifying to know that President Arthur, as well as the Department of State, is making active efforts to have the question settled on a just basis. A favorable report from the committee recently appointed by the President to investigate the subject will go very far towards removing the unjust discrimination against one of our chief products.

The edict was based on false premises, and, of course, nothing but injustice could result from its promulgation, both to the producer and the consumer. The plea that the health of the French people was endangered by the importation of American pork, is absolutely without justification as has been demonstrated and unanimously declared by the most competent body of scientists in France.

The French people, as far as I am able to judge, are in favor of its (the edict's) entire abolition. The laborers especially are opposed to the prohibition, as it deprives them of a cheap and wholesome article of food. I have never yet spoken to an intelligent Frenchman on the subject who believes that such an order was just or necessary. * * * The chamber of commerce of this city has shown conclusively that the edict is unjust to the working people and also detrimental to the commercial interests of the country. So also has the same been shown by the Chambers of Commerce of Bordeaux and other cities. Mr. Jules Ferry, president of the council, takes a liberal view of the matter, and it is believed that he will insist on a radical modification of the order. In his great speech, delivered in this city on the 14th instant, he declared that he was in accord with the people of Havre on this subject.

Some time ago I respectfully asked permission to import a few American hams for the use of my own family, but the request was as respectfully refused. * * *

Probably thirty millions of our people eat American pork every day in the year, besides several millions of Englishmen. There has never been but one well attested case of trichinosis in France, and that from the product of a French hog. * * *

I am, etc.,

JOHN B. GLOVER,
United States Consul.

No. 38.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

DEPARTMENT OF STATE,
Washington, October 31, 1883.

If hopeful prospect of repealing French restrictions on pork is evident you may delay communicating three-sixty-four. Keep Department advised, as events will determine President's reference to French action in message.

FRELINGHUYSEN.

No. 39.

Mr. Frelinghuysen to Mr. Morton.

No. 379.] DEPARTMENT OF STATE,
Washington, November 13, 1883.

SIR: I inclose for your information a copy of Mr. Schuyler's dispatch, dated the 19th ultimo, and its accompaniment, respecting the prohibition by the Hellenic Government of pork products coming from America, adding, what will be particularly noted by you, that Greece offers no reason for this action save the precedent established by France.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 40.

Mr. Morton to Mr. Frelinghuysen.

No. 445.] LEGATION OF THE UNITED STATES,
Paris, November 15, 1883. (Received December 1.)

SIR: I called yesterday on the president of the council, who, in the absence of Mr. Challemel Lacour, has charge of the foreign office, to inquire if the Government had come to a conclusion as to the time of the withdrawal of the decree prohibiting the importation of American salted meats. Mr. Jules Ferry opened the subject pleasantly, by saying that he knew the object of my visit, but that, unfortunately, he was yet unable to give me a satisfactory answer, as the execution of his purpose had been interfered with by the extraordinary epidemic of trichinosis, which had lately appeared in Germany.

"The unusual and alarming character of this epidemic," said he, "is such that the committee of public hygiene has felt bound to devote to its examination more than it expected at first. I am satisfied," he continued, "that the consumption of American meats has nothing to do with this epidemic, but as we can not cancel our prohibitory measures without encountering a strong opposition, we must be prepared to meet all the objections which might be made to our action."

I stated very frankly to him that the reason of my anxiety for a prompt solution of this so long pending difficulty was a telegram which

I had received from you, asking for definite information on the subject which might be used by the President in his forthcoming message. I explained again the reasons which made it important to reach a satisfactory solution before the meeting of Congress, when the subject would no doubt come up for discussion, the necessity for which I was very anxious to avoid, and I urged him to press the solution of the question. He promised to do so in emphatic terms. "In the mean time," he added, "you can state to your Government that the French Government is animated by a strong desire to give to this question a most liberal solution, and at the earliest possible moment." I inquired, "May I expect action before meeting of Congress?" He said, "Yes."

I have, etc.,

LEVI P. MORTON.

No. 41.

Mr. Morton to Mr. Frelinghuysen

[Telegram.]

PARIS, *November* 27, 1883.

Mr. Morton informs Mr. Frelinghuysen that a decree has to-day been signed, and will be published November 28, in the official journal, canceling the prohibition of American pork, and that he will inform the minister in Greece of the fact.

No. 42.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 452.] LEGATION OF THE UNITED STATES,
Paris, November 29, 1883. (Received December 13.)

SIR: As I had the honor of informing you by my telegram of yesterday the official journal of this morning publishes a decree repealing that of February 18, 1881, by which the importation of American pork was prohibited in France.

The French packers were so much interested and so persistent in obstructing this long-expected measure that I feared the withdrawal of the prohibition might be coupled with some kind of inspection which would practically restrict its effect, but the decree removes the prohibition without any conditions. A circular of the minister of commerce, addressed to the prefects, informs them of the decision taken, and simply advises them to see that the pork offered to the public is fully cured, and to recommend to those making use of such meats that they should be well cooked, as it is scientifically and experimentally established, says the minister, that thorough cooking and salting destroys trichinosis when it exists.

Thus the position taken in this matter by the legation and maintained in repeated communications, written and verbal, is at last officially admitted as correct by the French Government.

In view of the information conveyed in your dispatch No. 379, of November 13, I informed Mr. Schuyler of the withdrawal of the decree. * * *

I deem it proper to avail myself of this occasion to express my high appreciation of the valuable assistance rendered and cordial co-operation of Mr. Vignaud in the long-pending negotiations, as in all other matters, now so satisfactorily terminated by the withdrawal pure and simple of the prohibitory decree at a time when the current of public sentiment elsewhere in Europe appears to be running in a different direction.

I inclose herewith copy and translation of both the decree and the circular.

I have, etc.,

LEVI P. MORTON.

[Inclosure 1 in No. 452.—Translation.]

DECREE OF NOVEMBER 27, 1883.

The President of the French Republic, upon the report of the minister of commerce, considering the conformable opinion of the consultative committee of public health of France, dated the 26th November, 1883, decrees:

ARTICLE 1. Is, and shall remain, annulled, the decree dated the 18th of February, 1881, which prohibits on the territory of the French Republic the importation of salted pork of American origin.

ART 2. The minister of commerce and the minister of finance are instrncted, each so far as it may concern him, to execute the present decree, which shall be inserted in the Journal Officiel, and published in the Bulletin des Lois.

Done at Paris the 27th November, 1883.

JULES GRÉVY.

By the President of the Republic.
The Minister of Commerce:

CH. HERISSON.

The Minister of Finance:

P. TIRARD.

[Inclosure 2 in No. 452.—Translation.]

CIRCULAR FROM THE MINISTER OF COMMERCE.

PARIS, *November* 27, 1883.

MONSIEUR LE PRÉFET: A decree of the President of the Republic of the 27th of November has just annulled the decree of the 18th February, 1881, which prohibits on the entire territory of the French Republic the importation of salted pork coming from the United States.

This decree, which has for object to restore to consumption a much-esteemed article of food among the working classes, will not efficaciously attain the end in view unless all requisite precautions for the preservation of public health are taken in the use of *this meat.*

This consultative committee of public hygiene of France, to whom I referred the question, undertook a minute examination of the subject, from which it results that *preserved* pork loses all serious danger of infestation of trichinosis if it is salted with care and if the brine in which it is deposited is of good preparation. You should therefore recommend to the municipal authorities, who have more especially in their *attributions* the supervision of articles of food, to examine with the greatest care whether these conditions are entirely carried out as far as concerns salted pork put up for sale in their commune, and not to hesitate to seize and destroy that which, from an imperfect degree of saltness, may appear to them unfit for consumption.

The committee has ascertained, besides, both scientifically and by experimental means, that trichinosis, when it exists in pork, is entirely destroyed by complete cooking, and that all danger will disappear for the consumer if, conformably to our well-known culinary habits, this meat is not eaten raw or rarely cooked.

You will please therefore bring this important particular to the knowledge of those under your jurisdiction by all the means of publicity at your disposal.

I beg you will acknowledge receipt of the present circular and give your careful attention to the execution of the directions contained therein.

Receive, &c.

The minister of commerce:

CH. HERISSON.

No. 43.

Mr. Frelinghuysen to Mr. Morton.

No. 393.] DEPARTMENT OF STATE,
Washington, December 7, 1883.

SIR: With reference to your dispatch No. 445, of the 15th ultimo, reporting your conversation with Mr. Jules Ferry in relation to the revocation of the decree prohibiting the importation of American pork, I have to inform you that the Department is much pleased with the friendly tone of the remarks made by Mr. Ferry on the occasion in question.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 44.

Mr. Frelinghuysen to Mr. Morton.

No. 405.] DEPARTMENT OF STATE,
Washington, December 19, 1883.

SIR: With reference to your dispatch No. 452, of the 28th ultimo, containing your full and interesting account of the revocation of the decree of February 18, 1881, prohibiting the importation of American pork into France, I have to request you to convey to the foreign office an expression of the very great satisfaction which the liberal and enlightened course of the French authorities in reference to this matter, based upon thorough scientific investigations, has afforded this Government.

Adding that I have read with much pleasure your statement in reference to the valuable services which Mr. Vignaud has rendered to your legation in the settlement of the American pork question,

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 45.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Paris, December 24, 1883.

In consequence of resolution voted Saturday by Chamber of Deputies requesting Government to suspend the free importation of American

pork until a bill which has been introduced to inaugurate a system of inspection shall have been acted upon, it is feared by minister that repeal of decree will be compelled. The cabinet council, however, has not yet arrived at a decision.

MORTON.

No. 46.

Mr. Morton to Mr. Frelinghuysen.

No. 464.] LEGATION OF THE UNITED STATES,
Paris, December 26, 1883. (Received January 10, 1884.)

SIR: The action of those opposed to the free admission of American pork has produced such a result that all the efforts made by this legation during many months to obtain an entirely satisfactory settlement of this vexed question are likely to prove fruitless.

About two weeks ago Mr. Gaudin, a deputy from Nantes, the center of the French pork-packing business, introduced in the house a bill providing for a system of inspection of all salted pork coming from abroad. This bill, which is substantially the same as the one voted by the Chamber last year, but defeated in the Senate, and of which I sent a translation to the Department with my No. 146 of March 31, 1882, was referred to a committee, where it was expected to remain without being acted upon by the committee.

A few days ago, quite unexpectedly, Mr. Paul Bert, formerly a member of Mr. Gambetta's cabinet and a scientist of note, asked the Government in the Chamber to suspend the operation of the decree of November 27, again admitting the free importation of American pork, until the Chamber should have acted upon the bill introduced by Mr. Gaudin. Mr. Paul Bert grounded his request on motives of public health; he described in vivid terms the fearful consequences of an epidemic of trichinosis, and asserted that he knew from his own personal experiments as well as by those made by others that trichinæ did not exist in French pork and did exist in foreign pork.

Mr. Herisson, the minister of commerce, replied to Mr. Paul Bert that the Government could not comply with his request; that its action in the matter had been duly considered, and that he and his colleagues were satisfied that the free importation of American pork would not be attended with any danger to the public health.

This plain and unequivocal answer did not satisfy Mr. Paul Bert, who moved to interpellate the government on the question. The interpellation was granted, and it came before the House on Saturday last, the 22d instant.

Mr. Paul Bert repeated his request to suspend the operation of the decree cancelling the one prohibiting American pork until some definite action be taken by the Chamber, and submitted the following order of the day:

"The Chamber, considering that it is proper to delay the admission of American pork until after the debate upon the bill now pending, passes to the order of the day."

Mr. Herisson declared that he was obliged to oppose this order of the day; that, as stated before, the government had acted only after mature deliberation, and upon the advice of the Academy of Medicine; that not a single case of trichinosis had been detected either in England, in Bel-

gium, and in Switzerland, where American pork is freely introduced, or in France when free importation was the rule; that the epidemic of trichinosis, which recently appeared in Germany, was known to have been caused by German pork, and that consequently there was no good reason to recall a measure which was satisfactory to so many people and open to so little objection.

Mr. Paul Bert said that the facts stated by the minister were not as conclusive as he supposed they were; that trichinosis was not easily detected; that its diagnosis was exactly the same as typhoid fever, and that it was very likely that many people had died of it without the cause being made known; and that, contrary to an opinion generally shared, salt did not kill the trichinæ, nor did the cooking except when the boiling of the meat is carried to 70° centigrade. In short, he believed the danger arising from the free admission of foreign pork was very great, and he thought it would be very unwise not to regulate in some way its importation into France.

Finally, after a long debate, in which the same arguments were asserted and reasserted in many shapes, the question came to a vote, and the order of the day, proposed by Mr. Paul Bert, was carried by 272 votes against 153.

It is but simple justice to state that Mr. Herrisson earnestly opposed every effort of Mr. Paul Bert and of his associates in behalf of the French hog raisers and packers. It is admitted openly that public health has little bearing upon the subject in its present stage; it is simply now a question of protection.

* * * * * * *

I have, etc.,

LEVI P. MORTON.

[Postscript.]

PARIS, *December* 28, 1883.

To comply with the vote of the Chamber it was decided yesterday in cabinet council to prohibit the free importation of American pork until parliamentary action is taken in the matter. In the mean time American pork will be admitted at the ports of Havre, Bordeaux, and Nantes, where an examination of the meat will take place under the control and at the expense of the Chambers of Commerce of those places.

This measure is satisfactory to the French importers, but the protectionists will probably oppose it, as many of the members of the Chamber of Commerce are interested in making the inspection as easy as possible. It is to be feared, therefore, that the propriety of this measure will be questioned in the Chamber.

The department of commerce contemplates the introduction of a new bill providing for a system of inspection.

* * * * * * *

The National of last night, speaking of this bill (the one recently introduced into Congress for the purpose of empowering the President to prohibit the importation of articles injurious to public health from countries which on the same ground prohibit American products), says it was at first directed against Germany only; but that, "in consequence of the recent vote of the Chamber postponing the removal of the restriction on American pork, France will now have to take her place by the side of Germany, and be equally made the victim of these reprisals. Owing to the order of the day of Mr. Paul Bert French products are

going to be driven out from America. It belongs to the Government to take steps as early as possible to prevent an eventuality which would be so damaging to French commerce."

L. P. M.

No. 47.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

WASHINGTON, *December* 27, 1883.

Mr. Frelinghuysen informs Mr. Morton that he is in receipt of complaints of great injury to large commercial interests of the United States through the vacillating action of the French authorities; that Mr. Morton's diligence in the matter of prohibitory decree is appreciated, and it is not doubted that he will continue his energetic action to secure its permanant repeal.

No. 48.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

PARIS, *December* 28, 1883.

Pork again prohibited until the Chamber passes upon the bill to inaugurate a system of inspection. Meantime it will be admitted at the ports of Havre, Bordeaux, and Nantes, subject to inspection under the direction of the Chambers of Commerce of those cities.

MORTON.

No. 49.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

PARIS, *December* 28, 1883.

The withdrawal of the decrees of 27th November, which will be published to-morrow, limits the time for the admission of American pork products to the 20th January at the ports of Havre, Bordeaux, and Marseilles instead of Nantes.

Telegram of yesterday received this morning.

MORTON.

No. 50.

Mr. Morton to Mr. Frelinghuysen.

[Telegram.]

PARIS, *December* 29, 1883.

It was stated in Chamber that Doctor Detmers, who was charged by American Government to investigate trichinosis question, advised in his official report that all the hogs of the districts where trichinæ had made their appearance should be destroyed. Important to be fully informed.

MORTON.

No. 51.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

DEPARTMENT OF STATE,
Washington, Decemher 29, 1883.

Detmers stated, incorrectly, in 1878–1879, in report on swine-plague, not trichinæ, that disease was very prevalent in West, and hogs laboring under it were carelessly sent to market. He has since, in newspapers, expressed erroneous views on swine disease generally in the West. Curtis, a thorough expert, who is investigating trichinosis, reports to Agricultural Department that there is very little disease of any kind; that Detmers is mistaken; that great care is taken by breeders and packers to send healthy pork to market. Commissioner Agriculture entirely accepts Curtis's statement. At meeting Swine Breeders' Association unanimously stated that no disease whatever had occurred among swine in Illinois, Michigan, Indiana, Wisconsin, and Ohio, whence members were present.

FRELINGHUYSEN.

No. 52.

Mr. Rouston to Mr. Frelinghuysen.

[Translation.]

LEGATION OF FRANCE,
Washington, January 2, 1884. (Received January 3.)

Mr. SECRETARY OF STATE:

As you are aware, the President of the French Republic, by a decree bearing date of the 27th of November last, and issued at the suggestion of the minister of commerce, revoked the decree of February 18, 1881, which prohibited the importation of salt pork from the United States.

In adopting this measure the Government of the Republic was influenced by various considerations, and especially wished to furnish evidence of its sincere desire to promote as far as possible the development of commercial relations between the two countries.

However, in compliance with a wish expressed by the Chamber of Deputies in consequence of an interpellation which took place during the session of December 22, the French Government has been obliged to suspend for the present the execution of the decree of November 27.

In informing me of this fact, the president of the council adds that a bill has been introduced in the Chamber which is designed to regulate the importation of salt pork from the United States, and that the Government will hasten the discussion of this bill as much as possible. The meat in question will, as a temporary measure, be permitted to enter the ports of Havre, Bordeaux, and Marseilles until January 20, 1884, although previously to being sold it will be subjected to an examination.

I hasten, Mr. Secretary of State, to bring the foregoing information to your notice.

Accept, etc.,

TH. ROUSTAN.

No. 53.

Mr. Frelinghuysen to Mr. Morton.

[Telegram.]

DEPARTMENT OF STATE,
Washington, January 2, 1884.

Represent that decree published 29th, only allows three weeks, till 20th January, for importation American pork at three ports named. As we have only occasional steam communication with Bordeaux and Marseilles and none with Nantes, first named as a port, it is probable that *bona fide* shipments for France may have been made by sailing vessels. You will ask that the time be extended to February 1 for all vessels, and that in case sailing vessels show legitimate shipments made before December 29, entry be granted, subject to any reasonable inspection.

FRELINGHUYSEN.

No. 54.

Mr. Frelinghuysen to Mr. Morton.

No. 413.] DEPARTMENT OF STATE,
Washington, January 2, 1884.

SIR: For your information I send herewith copies of telegrams received from Chicago on the recent vote in the French Chamber of Deputies reinstating prohibition of importation of American hog products.

CHICAGO, *December* 26, 1883

Hon. FRED'K T. FRELINGHUYSEN,
Secretary of State, Washington:

The recent vote in French Chamber of Deputies reinstating prohibition of importation of American hog products is, as you are aware, a serious blow to the provision interests of the whole country as well as those of the farmers of the Northwest.

Understanding that the French Government is favorable to the withdrawal of the prohibitory decree, and believing that Congress when reassembled will define a retaliatory policy, we ask that you will instruct our minister to France to work with utmost energy to bring about repeal of decree, intimating, if you think proper, that such action by Congress is probable. This we know would be of greatest value and would undoubtedly produce most favorable results.

ARMOUR & CO.

CHICAGO, *December* 27, 1883

Hon. FRED'K T. FRELINGHUYSEN,
Secretary of State, Washington:

I earnestly urge your special attention to the dispatch sent you by Armour & Co. of this city regarding the French prohibition of hog products. If continued it will be a serious blow to American capital and a heavy loss to our manufacturing and farming interests.

Prompt action seems to me necessary.

R. W. DUNHAM, *M. C.*

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 55.

Mr. Frelinghuysen to Mr. Morton.

No. 414.] DEPARTMENT OF STATE,
Washington, January 2, 1884.

SIR: The following telegram was sent to Messrs. Armour & Co., of Chicago, Ill., December 27, 1883:

Your telegram received. Further instructions have been telegraphed Mr. Morton, who has been diligent and energetic in matter of repeal of decree.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 56.

Mr. Morton to Mr. Frelinghuysen.

No. 466.] LEGATION OF THE UNITED STATES,
Paris, January 3, 1884. (Received January 18.)

SIR: On the 26th ultimo (dispatch 464), I informed the Department of the resolution voted by the Chamber of Deputies, a few days before, expressing the desire that the free admission of American pork be again suspended, and of the action the Government felt compelled to take in consequence of this vote.

When my dispatch was forwarded (Friday the 28th), I had not seen the text of the new prohibitory decree, which was only issued on the following day, but my telegram of the same evening, of which a copy is herewith inclosed, gave you its substance. I have the honor of sending to-day a copy and translation of the decree, and of a report of the minister of commerce to the President, explaining his motives.

At the President's reception on New Year's day I had occasion of recurring again to this subject with the president of the council and the minister of commerce, and I am glad to say that both seem as desirous as I am of securing the permanent removal of any obstruction to the importation in France of American pork. I remarked to Mr. Ferry that I had not failed to inform you of his sincere desire to comply with my requests in the matter, and that I was in receipt of a dispatch expressing your appreciation of his friendly language and course, and instructing me to convey to him the satisfaction felt by the Government of the United States with his action, which I intended to do in a more formal manner. "This action of ours," said Mr. Ferry, "is not over; we do not intend to leave the matter as it now stands; we are collecting facts and scientific opinions which are of such weight that they can not fail to impress favorably the Chamber." Mr. Herisson confirmed this statement.

It can not be doubted that there exists in the public mind a strong prejudice against American pork, a prejudice which has been unfortunately to some extent created or aggravated by certain American newspaper articles of which the French protectionists adroitly took advantage. It was in reference to a statement made upon the authority of an American scientist that I telegraphed you to ascertain the correctness of those attributed to Dr. Detmers. Your answer furnished me with valuable information, the insertion of which I procured in all the leading French as well as in other papers.

Your cipher dispatch of the 27th ultimo, expressing your satisfaction with my diligence in the matter and the hope that energetic efforts would be continued to secure the permanent repeal of the prohibition, was duly received. I highly appreciate the expression of approval and shall spare no exertion to second your efforts in this matter so important to our commerce.

I have the honor to inclose herewith copies of a note addressed to Mr. Ferry, on the 2d instant, of the telegrams above mentioned, and of the one given to the press.

I have, &c.,

LEVI P. MORTON.

[Inclosure 1 in No. 466.—Decree published in Journal Officiel.—Translation.]

DECREE.

The President of the French Republic, upon the report of the minister of commerce, decrees:

ARTICLE 1. The execution of the decree of November 27, 1883, is adjourned; is in consequence suspended until such time as provision is made by a law upon the introduction of pork into France, the importation of the said salted meat coming from the United States of America.

ART. 2. Nevertheless, for contracts already made, this meat can be admitted exceptionally until the 20th of January, 1884, by the ports of Havre, Bordeaux, and Marseilles, and upon the condition that it shall be stated that it answers to the description known in commerce under the name of "fully cured"; that it is healthy, that it is in a perfect state of preservation, and that the curing is complete.

This statement shall be made by experts specially appointed by the prefects.

The importers must declare before any discharge that they consent to pay the costs that the inspection of the experts may entail.

The maximum of the tariff of these costs shall be fixed by the chambers of commerce.

ART. 3. The ministers of commerce and finance are charged, each one in so far as he may be concerned, with the execution of the present decree.

Done at Paris December 28, 1883.

JULES GRÉVY.

By the President of the Republic.
The minister of commerce:
CH. HERISSON.

[Inclosure 2 in No. 466.—Translation.]

Mr. Herisson's report to the President of the Republic.

MONSIEUR LE PRESIDENT: On the 27th November last I had the nonor to submit for your signature a decree repealing that of the 18th February, 1881, which prohibited on the territory of the Republic the importation of salted pork coming from the United States. This measure was grounded upon the opinion of the Academy of Medicine and upon the decision of the consultative committee of public health of France, specially appointed to deliberate upon the matter.

The Chamber of Deputies, at its sitting on the 22d December, evinced the desire that the execution of the decree of the 27th November should be postponed until the discussion of a proposed law, of which it has already had notice.

The object of the decree annexed herewith is to satisfy this desire in suspending the importation of American pork.

In order, however, to avoid confusion in commercial transactions, I have the honor to submit likewise for your high approbation a temporary measure with the view of conciliating the various interests involved.

It is as well to recall in this connection that when the decree of the 18th of February, 1881, had for the first time edicted the formal prohibition of American pork, the importation of the said meat was none the less, in consequence of the importance of the operations engaged, authorized until May 20 of the same year under the reserve of a microscopical examination.

The measure which I propose to you has been inspired by this precedent.

The meat can exceptionally enter France until January 20 next by the three ports of Havre, Bordeaux, and Marseilles, and under certain conditions to prove its harmlessness.

This very short period is proof that the measure of favor can be really applied to goods at the present time in transit or for which engagements have been made.

With reference to the guaranties required for the public health, I thought I could do no better to do away with all fears than to reproduce textually in the decree those which appear in the proposed law voted by the Chamber on the 28th March, 1882, and which has just been taken up again and supported before the same assembly by those of its members who have evinced the least desire for free importation.

It should be stated that the meat answers to the description known in commerce under the name of "fully cured;" that it is healthy, in a perfect state of preservation, and that the curing is complete.

The statements should be made by expert agents, appointed by the prefects, and the importers should declare, before any discharge, that they consent to pay the cost that may be incurred by the inspection.

If the advantages of the decree, which I have the honor to propose to you, appear to you of such a nature as to advise its adoption, I beg you, M. le President, to be so good as to affix your signature thereto.

Receive, M. le President, the assurance of my profound respect.

The minister of commerce.

CH. HERISSON.

[Inclosure 3 in No. 466.]

Mr. Morton to Mr. Ferry.

LEGATION OF THE UNITED STATES,
Paris, January 2, 1884.

SIR: It was an agreeable duty for me to inform my Government of the friendly manner in which you had received my earnest representations with regard to the long-standing prohibition of American pork, and of your liberal action in procuring the repeal of the obnoxious decree of the 18th February, 1881.

At the New Year's reception, at the Elysée, I intimated to you that I was in receipt of a dispatch from Mr. Frelinghuysen, in which he requested me to express to you his appreciation of your course in the matter, which I now take pleasure in doing more fully than I could yesterday.

"I have to request you," says Mr. Frelinghuysen, "to convey to the minister of foreign affairs the expression of the very great satisfaction which the liberal and enlightened course of the French authorities in reference to this matter, based upon thorough scientific investigation, has afforded this Government."

It is the hope of my Government, and my own, that this liberal action of your excellency will be continued, and that you will be able to bring about a permanent and satisfactory settlement of this question, which has been so unexpectedly and so unfortunately reopened by the resolution of Mr. Paul Bert.

I avail, &c.,

L. P. MORTON.

[Inclosure 4 in No. 466.—Extract from the Paris Morning News.]

We have received the following dispatch:

"WASHINGTON, *December* 30, 1883.—The Secretary of State has telegraphed to the American Minister at Paris, that a competent expert, Mr. Curtis, appointed by the Department of Agriculture to make an investigation as to trichinosis, reports officially that no disease exists among American hogs."

At a meeting of the Association of Western Swine-breeders it was unanimously resolved that in the five great producing States, Ohio, Illinois, Indiana, Michigan, and Wisconsin, no disease whatever existed among swine.

The discrimination of the French authorities against American pork is, therefore, made directly in the face of the evidence. A competent expert, appointed by the United States Government, reports that the disease, against which the prohibitive French legislation was directed, does not exist. As the object of such legislation is not to prohibit the pork itself, there appears to be, under the circumstances, no good reason for its continued existence.

GERMANY.

No. 57.

Mr. Davis to Mr. Everett.

No. 301.] DEPARTMENT OF STATE,
Washington, February 8, 1882.

SIR: I inclose herewith for your information a copy of a letter from Messrs. William Archdeacon & Co., of Indianapolis, Ind., stating that they have been advised that the German authorities have prohibited the importation of one hundred barrels of pigs' tongues shipped by them to Altona, Germany, and also that a general prohibition has been issued by the Government of Germany against American pork.

I will thank you to lose no time in calling the attention of the German foreign office to the case of William Archdeacon & Co., with a view to securing for them such relief as the facts may be found to make necessary.

I have furthermore to instruct you to report to this Department at your earliest convenience all the information you may be able to obtain as to any recent action by the German Government in reference to the importation of American pork into Germany; and all the facts which may tend to throw any light upon the subject.

I am, etc.,

J. C. BANCROFT DAVIS,
Acting Secretary.

[Inclosure in No. 301.]

Messrs. William Archdeacon & Co. to Mr. Frelinghuysen.

INDIANAPOLIS, *February* 5, 1882.

DEAR SIR: We received an order early in December from Altona, Germany, for 100 barrels of pigs' tongues, and shipped same early in January. We are now in receipt of a letter from the bank in Hamburg saying "that American pork has been prohibited in Germany," and our goods will not be allowed to land there.

The shippers and shipping agents from whom we have sought information deny that such is the case, and our goods in the meantime lie there.

If you can give us any information on the subject you will confer a favor on

Yours respectfully,

WM. ARCHDEACON & CO.

No. 58.

Mr. Everett to Mr. Frelinghuysen.

No. 298.] LEGATION OF THE UNITED STATES,
Berlin, February 23, 1882. (Received March 18.)

SIR: I have the honor to acknowledge your instruction No. 301, of the 8th instant, received this day, inclosing a complaint of Messrs. William Archdeacon & Co., to the Department of State, that the importation of American pork had been prohibited in Germany, and that they are thus prevented from bringing into Germany 100 barrels of pigs' tongues, which they have shipped to Altona, and directing me to call the attention of the foreign office to the matter.

In reply I have the honor to state that this prohibition of the importation of pork is not new, but dates back to June, 1880. On the 29th of June, 1880, Mr. White informed the Department by telegram, as also in dispatch No. 136, of the prohibition by imperial decree of the 25th June, 1880, of the admission of all kinds of pork, except hams and sides of bacon, and inclosing a copy, with translation, of the decree. Mr. White at the same time stated that in an interview with Mr. Von Hoffmann he had ascertained that the reason of the prohibition was that trichinæ could not easily be detected except in these two forms of pork.

From the special mention of hams and bacon in the decree I have no doubt that tongues are included in the category of forbidden forms of pig's flesh, but I will, in accordance with your instruction, address the foreign office on the subject, and ascertain whether there is any special exemption for pigs' tongues, and, in case there is not, whether it would be possible to pass this one shipment of Messrs. Archdeacon & Co., after a rigid inspection to ensure the pigs' tongues being in a fit condition for food.

I would also state in this connection that in December, 1880, Messrs. Armour & Co., of Chicago, the largest pork packers in the world, addressed a similiar complaint to this legation that they were debarred by the above mentioned decree from exporting their canned brawn to Germany, and they claimed that this particular preparation of pork was safe from the danger of trichinæ, as it had been subjected to a temperature of 250° Fahrenheit, a certificate of which could be sent with each shipment. They were advised, in reply, to lay their case before the Department of State, which would then instruct the legation to intervene in the matter as it should be thought best. I trust that I shall not be exceeding my instructions if I include Messrs. Armour & Co.'s grievances with those of Messrs. Archdeacon & Co., in my note to the foreign office.

I have, etc.,

H. SIDNEY EVERETT.

No. 59.

Mr. Everett to Mr. Frelinghuysen.

No. 308.] LEGATION OF THE UNITED STATES,
Berlin, March 27, 1882. (Received April 13.)

SIR: Referring to your instruction No. 301, of the 8th ultimo, and my reply to the same of the 23d ultimo, I have the honor now to inclose the correspondence between this legation and the foreign office on the subject of the importation of pork products, by which it will be seen that the German Government refuses to modify its prohibitive decree of the 25th June, 1880, so as to allow the consignment of pigs' tongues from Wm. Archdeacon & Co., and the brawn of Messrs. Armour & Co., of Chicago, to enter Germany.

I have, etc.,

H. SIDNEY EVERETT.

[Inclosure 1 in No. 308.]

Mr. Everett to Count Hatzfeldt.

LEGATION OF THE UNITED STATES,
Berlin, February 24, 1882.

The undersigned, chargé d'affaires ad interim of the United States of America, has the honor, under instructions from his Government, to call the attention of his excellency Count Hatzfeldt, provisional secretary of state for foreign affairs, to the subject of the prohibition of importations of the flesh of pigs into Germany under the imperial decree of the 25th June, 1880, and to respectfully inquire whether this decree is still in force, and, if so, whether it would include the tongues of pigs alone, which are exported from America packed in barrels. A large quantity of this article has been sent out to Germany by the firm of Archdeacon & Co., of Indiana, United States of America, but is now waiting at Altona on account of the refusal of the customs officials to allow it to pass, and the undersigned would respectfully ask if the consignment in question can not be allowed to enter after a proper inspection to make sure of its being in a suitable condition for food.

The undersigned, in this connection, would also ask whether such preparations of pork as are known as "brawn," in soldered tin cans, which have been subjected to a temperature of 250° Fahrenheit, would be allowed to enter Germany if they were accompanied by an official certificate that they have been subjected to this heat, which, it is believed by chemists, removes all danger from the germs of trichinæ.

The undersigned, while respectfully requesting an early reply, as the goods referred to are now at Altona awaiting the decision of the German Government, avails himself of this occasion to renew to his excellency the assurances of his most distinguished consideration.

H. SIDNEY EVERETT.

[Inclosure 2 in No. 308.—Translation.]

Mr. Busch to Mr. Everett.

FOREIGN OFFICE, *Berlin, March* 22, 1882.

The undersigned has the honor to inform Mr. H. Sidney Everett, chargé d'affaires of the United States of America, in reply to the esteemed note of the 24th ultimo, concerning a consignment of American pork which has been detained at Altona, that the prohibition of June 25, 1880, is still in force and is especially applicable to prepared pigs' tongues.

After a careful examination in the proper quarter of the facts in the case, it has not been considered feasible to make an exception to the existing prohibition in favor of the large consignment of pigs' tongues and the preparation known as "brawn" referred to in the esteemed note.

The undersigned avails, etc.,

BUSCH.

No. 60.

Mr. Brewer to Mr. Davis.

[Extract.]

No. 23.] UNITED STATES CONSULATE-GENERAL,
Berlin, March 30, 1882. (Received April 19.)

SIR: I have the honor of again calling your attention to the agitation which is going on in Germany, touching American meats and the importation of the same into this country. On the 18th of March last an editorial article appeared in The North German Gazette (Norddeutsche Allgemeine Zeitung), which clearly shows the means which are being used to prejudice the minds of the people here against the use of American meats. * * * So much has heretofore been written upon this

subject that I deem it useless to further comment. We have caused the editorial referred to to be translated, and herewith inclose the translation.

I am, &c.,

M. S. BREWER,
Consul-General.

[Inclosure in No. 23.—Extract from the North German Gazette of March 18, 1882.—Translation.]

American competition in meat, etc., which is of late more and more felt by German cattle breeders and dealers, makes a close examination of the extent which imports of American meats have assumed and are capable of assuming of interest and importance; while hitherto only lard, ham, bacon, and salt meats of all kinds were exported from America, recently exports to France and England of not only fresh meat, but also of live stock, have been made, and the enterprise has met with considerable success. As appears from an American journal, The Farmer, a union of marine insurance companies, "The Cattle Lloyds," has been formed, with the aim, by especial arrangements and provisions respecting the treatment and feeding of cattle while being transported, of reducing to a minimum the risks and losses in exporting cattle.

According to the statistical abstract of the United States the exports of meat from July 1, 1879, to July 1, 1880, were as follows:

	Value.
Bacon and ham, 759,773,109 pounds	$50,987,623
Fresh beef, 84,717,194 pounds	7,441,918
Salt meats, 45,237,472 pounds	2,881,047
Lard, 374,979,286 pounds	27,920,367
Fresh mutton, 2,335,858 pounds	176,218
Pork, 95,949,780 pounds	5,930,252
Live stock:	
Neat cattle, 182,756 head	13,344,195
Hogs, 83,434 head	421,089
Sheep, 209,137 head	892,647

In 1880 the imports of American meat into Germany were as follows:

Meat, fresh and prepared, ham, bacon, and sausage, to the value of $4,963,014; and lard to the value of $11,160,050.

Now if the steady increase of the importation of American meat into Germany continues, and notwithstanding the duties, which are altogether too low, it assumes, as the above figures go to prove, such an extent, it will be but a natural consequence that American meat products will drive the German out of the market.

The United States commercial agent at Geestemunde reported to his Government that owing to the importation of American provisions many butchers and meat dealers at Bremen and Hamburg were compelled to abandon that line of business, they being unable to stand the American competition; that American articles had totally destroyed the meat export trade at the German seaports, once so flourishing; that German vessels running between German and American ports took in supplies of beef, pork, and other provisions in America sufficient to last for the trip to Germany and back.

Of much more serious consequence, however, than the mere rapid increase of American meat importations into Germany, is the fact that the quality of such importations must, unfortunately, frequently be pronounced detrimental to health. This fact, in many cases admitted even by the American papers, such as the Lancet, Grocer, Herald, Davenport Daily Gazette, was most thoroughly discussed by one of the leading authorities in veterinary science, Professor Dr. Roloff, privy sanitary counselor and director of the Royal Veterinary School, who, in the sitting of the German Society for Public Hygiene, on the 16th of May, 1881, delivered an address on "American canned meat." The speaker showed that the consumption of American provisions in many cases was very dangerous; that diseases of animals were communicable to men, and therefore the meat of diseased animals must be considered as unfit for use or consumption; that in America the official inspection of animals is not provided for, and it can at best in but few cases be ascertained whether the meat is taken from diseased animals or not. Therefore, the consumption of American meats would, at any rate, be connected with more danger than the consumption of domestic meats, since a strict inspection of animals to be used for food is made in Germany.

As appears from statistics of the United States, from the 1st of July, 1876, to July 1, 1877, about 23,000,000 pounds of meat, and in each of the following years about

25,000,000 pounds were exported from the United States, 5,000,000 pounds of which went to Germany.

Mr. Köhler, a veterinary surgeon at Hamburg, has found among 55,800 hams and 22,700 sides of pork, 1 per cent. infected with trichinæ, while others found even 4 per cent. of meats imported from America infected with trichinæ. Dr. Billings, a young physician in America, found 154 among 2,700 hogs in America to be infected with trichinæ. Trichinosis, however, is not the only disease to be found, as many other cattle diseases exist in America, which are equally if not even more dangerous. Besides inflammation of the milt and "wild-fire," another disease, the "yard fever" (*Hoffieber*), had made its appearance in so malignant a form that in the State of Illinois alone 1,000,000 hogs died of it within one year; and it may safely be taken for granted that the meat of these animals was canned. Among American neat cattle malignant epidemic diseases are by no means on the decrease. The "Texas fever," a disease resembling the *rinderpest*, has been especially severe. No doubt can be had but that much of the flesh of cattle affected with such diseases has been used for corned beef. Mr. Meier, a chemist, has found lead in canned corned beef in large quantities.

It must be admitted that the transportation of cattle from Texas, Kansas, and Colorado, some 1,500 miles, to Chicago, where the meat is preserved, gives rise to many diseases, so that a very large percentage of the animals from which the canned corned beef is made may fairly be supposed to be diseased. Moreover, even American papers have called attention to the fact that not only horse meat but also the meat of diseased animals is regularly put upon the market. Canning meat assuredly does not destroy such diseased matter as may be contained in the meat, as many cases of sickness have ensued after the consumption of such canned meat. In addition to all these objections, it is a question whether this corned beef is of any advantage financially, or rather economically. A two-pound can contains about 700 grams of eatable meat, and costs 1.75 marks, which is much more than what domestic meat of the same kind costs.

The above important facts of so great public interest being established, doubts may be raised as to whether the ordinance of June 25, 1881, prohibiting the importation into Germany of chopped, minced, or otherwise prepared American pork is sufficient protection. Like apprehensions have induced Austria-Hungary to prohibit the importation of American meats and prepared meats of any kind whatever. The minister of foreign affairs at Vienna, in reply to a protest raised by the American minister against the prohibition of the importation of American meats, stated that the intent of the provisions of article 5 of the treaty of commerce and navigation, concluded August 27, 1829, could not possibly go so far as to prohibit the contracting parties from taking such measures as necessity should demand for the protection of their sanitary interests.

The sanitary congress, which met at Amsterdam in 1879, has unanimously pronounced the opinion that the importation into Europe of American pork of all kinds should be prohibited.

No. 61.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 74.] LEGATION OF THE UNITED STATES,
Berlin, November 6, 1882. (Received November 25.)

SIR: I have the honor to state that there is renewed agitation in Germany against the introduction of American pork, and I am informed that a bill has been prepared, with the Emperor's approval, to be submitted at the forthcoming session of the Reichstag, as a Government measure, to prohibit the importation of all American pork, including hams and live animals. Heretofore adverse action has only extended to sausages and chopped meat. This was excluded on the ground that it contained trichinæ, and from its nature, being hashed, these could not be detected in it. These articles of trade were excluded on the ground that the public health required it, and could not be otherwise guarded. * * * American pork enters into competition with the domestic article, and very largely, and is afforded much cheaper than the domestic

article can be. * * * The proposed law does not, as I am informed, proceed upon the theory that American pork is put in disguised forms, in which ordinary care would not detect disease, but assumes that all American pork and swine are dangerous from disease, and the task of discrimination among them is useless trouble. So far as I have been able to learn up to this time, American lard is not among the prohibited articles, although it embraces a large item in our exports to this country. Whether it will finally be excluded depends in some measure upon the power of the interests adversely affected by it. * * *

This exclusion of a great article of American product comes just at a time when trade reports show an unexampled export of German manufactured articles to the United States.

American competition is a sore point in Germany, and qualifies to some extent the views entertained here of America. Although we are large customers of the mass of German products, many of ours, including some manufactures, as well as wheat, etc., bear hard on certain interests here, and cause a clamor for special relief. This can not always be granted without an appearance of unfriendly discrimination against a friendly power. * * *

Of course this bill is now only proposed. There are interests here opposed to its enactment. Hamburg, Bremen, Stettin are largely concerned in the commercial aspects of the matter. They will be injured by the stoppage of the carrying trade in American pork. Merchants dealing in this article in its various forms will object. Some of the newspapers call attention to the fact that there would be reasons to regret the adoption of such a measure in that it would render meat dearer to the mass of people and restrict the consumption of meat by the poor. I inclose an article from the Tageblatt of the 3d instant, in which this view is taken, and wherein the cheapness of American pork in comparison to that raised here is given as a reason why the poor should have a chance to buy it. It also believes it yet unproven that the American article is so unwholesome as to justify its exclusion. I shall keep watch of this matter and further report to you its progress.

I have, etc.,

A. A. SARGENT.

[Inclosure 1 in No. 74.—Extract from the National Zeitung of November 2, 1882.—Translation.]

We are informed that, with the Emperor's approval, the draft of bill looking to the prohibition of the importation of American swine, pork, and sausages has been laid before the Bundesrath. The reasons given for this measure are the frequent cases of trichinosis, as well as the prevalence among the pigs of an epidemic disease which is alike dangerous to man and beast, and it is for these reasons that the imperial Government deems it expedient to prohibit their importation in the future.

[Inclosure 2 in No. 7.—Extract from the Berlin Tageblatt of November 3, 1882.—Translation.]

Should this prohibition go into effect we should have cause to regret it for the reason that it would result in making meat dearer to the mass of people, or even restrict them in its consumption. American meat undoubtedly is, and always was, cheaper than the domestic article, and the claim that it is unwholesome is not sufficiently proven to justify its exclusion from our market.

No. 62.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 77.] LEGATION OF THE UNITED STATES,
Berlin, November 13, 1882. (Received December 4.)

SIR: I have the honor, referring to my dispatch of November 6, being No. 74, referring to the exclusion of American hogs, pork, and lard from Germany, to now inclose two very exhaustive articles from Berlin Tribune of the 10th and 11th instant, with careful translations. The articles present very fairly the effects which the proposed exclusion would have upon the trade of Germany, and upon the subsistence of the poorer classes, and prove by irrefutable facts that the clamor against these productions is born of prejudice. * * * The articles are written in admirable temper, and it is to be hoped will have weight in showing to the German statesman and public the truth in a matter so important to the interests of both countries.

I have, etc.,

A. A. SARGENT.

[Inclosure in No. 77.—Extract from the Berlin Tribune of November 10 and 11, 1882.]

THE PROHIBITION ACT.

I.

An imperial decree was lately laid before the Imperial Diet (Bundesrath) regarding the prohibition of the importation of pigs, pork, and sausages from the United States. As regards American sausages, they were excluded from importation some time ago. This prohibition seems justifiable on the ground that the nature of this article of food renders an inspection difficult; whereas it is very easy in the case of pigs and pork. It would be hard to conceive why our meat supply from this quarter should encounter such opposition, if we ignored the fact that a more or less artificial agitation against the importation of American meat had been set on foot long ago. It is only too apparent that this agitation is more in the interest of our cattle breeders than of our poorer classes. Our farmers fail to understand that the development of our industries entails a constantly increasing demand for food from foreign sources to supply the people engaged in them. From a grain-exporting country we have finally become a grain-importing country, and we are likewise obliged to import a constantly increasing quantity of meat, the home supply having become inadequate to meet the demands of our growing population. This applies to all Europe, but more especially to Germany. Although the actual number of live-stock has greatly increased in the last fifty years, the relative number has materially diminished. In 1830 there were in Europe 70⅓ million beeves, 164 million sheep, and 42½ million swine; in 1875 there were 88⅛ million beeves, 191 million sheep, and 43½ million swine, the latter number, as will be seen, having remained almost unchanged. The relative number of live stock, on the other hand, gave to every 1,000 inhabitants in Europe:

	Beeves.	Sheep.	Swine.
1830	328	764	197
1880	310	682	156

Still more remarkable is the disparity between the increase of the population and the increase of live-stock in Germany. Whereas the population in the German Em-

pire in 1860, was 37.7 millions, and in 1870, 40.8 millions (about 10 per cent. increase), the number of live stock has increased only as follows:

	Beeves.	Sheep.	Swine.
1860	14,999,194	28,016,769	6,462,572
1873	15,776,702	24,994,406	7,124,088

According to these statistical results our importation of cattle and animal products will have to be increased year after year. The annual statistics for the German Empire show that there were, for instance, in the year 1861, 548,737 pigs imported; in 1880, almost twice that number, *i, e.*, 1,104,321. The past year this number was still further increased by the importation of sucking pigs to 1,272,816, whereas the exportation amounted to 804,867 head.

It can, therefore, no more be a question whether or not we are to import meat products, but from which source we can draw the best and cheapest article. Whereas formerly Russia and Austria-Hungary supplied the German markets with cattle, America, which is sending its enormous meat products to all Europe, has now also entered the lists with these States in Germany. For several years already a regular line of ships has been organized for the transportation of live-stock to England. As yet Germany is supplied principally with salted and corned beef, lard, and pork only. The United States are, by reason of their enormous wealth in cattle, peculiarly adapted to supply Europe with meat, to give us from their superabundance what we lack. In a comparatively short time the exportation of fresh meat in ships supplied with refrigerators has assumed astounding proportions. In 1875–'76 the export of fresh and salted meats amounted to 36½ million pounds, valued at $3,000,000; from 1878–'79, 54,000,000 pounds of fresh meat, valued at $4,800,000; and of salted meat 37,000,000 pounds, valued at $2,300,000. According to official statistics there were in 1878 in the United States:

Total for every 1,000 inhabitants:

Beeves, 30,523,400	653
Sheep, 35,740,500	764
Swine, 32,262,500	690

With this natural wealth is combined the advantage of a very good quality. The manner of fattening cattle in the extensive fields of ripening corn on which the cattle are driven, makes it possible for the Western farmer to raise cattle and render the meat of a quality which can not be attained in any other manner. In this manner the cheapness of the meat is explained. According to Neumann and Spallart, the best quality of beef brought 11 to 12 cents per pound in New York. The exportation of pork products (meat, hams, pork, and lard) has been the most extensive. In 1879 it reached the following enormous fiqures: 1,081,892,318 pounds, estimated at $77,356,947, but in 1880 these figures were exceeded by 1,326,157,330 pounds, valued at $100,799,414.

It is only too apparent that the importations of such quantities of meat for the European markets will tend to lower the price and bring it within the reach of the poorer classes. Under all circumstances the supply of the European markets with American meat has become a real blessing to our poor people, whose standard of life has been materially improved. When in February of last year the French Government prohibited the importation of American salted pork the price of meat rose in the following month in the seaports 25 per cent.; so also poultry and other animal food (see official report of Consul Bridgeland in Havre, July, 1881). It is now proposed to decree a similar prohibition in the German Empire.

If, therefore, we oppose this measure we do so solely because the prohibition of the kind proposed will rob the poorer classes of the means of procuring cheap and wholesome nourishment and sink them to a lower grade of subsistence. Lard, for instance, has become an important and extensively used article of food only through the American import; whereas German lard was formerly and is still a luxury. In 1870 American lard cost 70 marks per 100 kilograms (200 pounds); German lard 160 marks. At present the comparative prices of lard are 125 marks and 145 marks per 100 kilograms. In 1881 and the first half of 1882 Westphalian and Oldenberg hams cost 1.05 to 1.10 pfennige per pound; American hams 60 to 64 pfennige. At present German hams cost 1.05 to 1.10 pfennige; American 63 to 63½ pfennige per pound.

None the less these advantages would not weigh with us if it could be proven that the imported American meats, as far as the pork production is concerned, are injurious to health. In that case we would urge the exclusion of American meats as strenuously as we would in the case of Russian and Austro-Hungarian produce. But we could not, after a careful inquiry into the matter, discover that it was based on any-

thing more than an unfounded prejudice and a superficial knowledge in the premises, premising, however, that the agrarian interests formed no part of the question. In a second article we shall enter more into the details of this question.

II.

At the time the abolition of the duty on lard was discussed in the Reichstag, the director of the ministry, the present secretary of state, Burchard, declared that "Trichinæ can not be detected in lard, but lard can be made from pigs infected with diseases, and any one who has given the subject any attention knows that a disease prevails, or prevailed, to a large extent among the pigs in America, which was called the hog-cholera. Fears were openly expressed, and evidence has been obtained to show that these fears were well-grounded, that a large number of these pigs were killed and used in the manufacture of lard." We do not know whether the Government has since obtained more plausible reasons to justify the proposed prohibition, but the reasons as given in the above explanation are altogether inadequate. As far as the report of the employment of infected and dead pigs in the preparation of lard is concerned, it may be well to state that at the first appearances of the report, in February of last year, the New York Produce Exchange, forseeing the danger which threatened the export trade, made representations to the United States Government, which immediately ordered an investigation in the premises. At the instance of the then Secretary of State, Mr. Blaine, Mr. Michael Scanlan, chief of the statistical bureau, made a most searching investigation into the matter at Chicago and Cincinnati, the centers of these industries, the result of which was published in the spring of that year in a pamphlet entitled "American pork; result of an investigation made under authority of the Department of State of the United States." Mr. Scanlan had received strict injunctions to subject every phase of the pork industry, from the rearing of pigs to the manufacture of the pork products for consumption, to a most minute investigation. Accompanied by a stenographer and experts, he visited the principal breeders of pigs, traders, and exporters, packing-houses, cattle-yards, abattoirs, shippers, instituted meetings of those engaged in the trade, subjected them to cross-examination; in short, he fulfilled his mission so thoroughly that we lay down his report to Mr. Blaine (in which all the material was inclosed for his consideration) with the fullest conviction that here a thoroughly competent man has done all that could be done in the matter.

Mr. Scanlan first went to Illinois to investigate the extent of the "hog-cholera." Nobody made a secret of the fact that this disease infected the hogs for several years and caused sad havoc. The department of agriculture of that State published the following exhibits of the losses. (The first figures show the percentage of the hogs that died of the disease, the second proportional weight):

	Per cent.	Pounds.
1876	17	103
1877	12	104
1878	14	108
1879	6	98
1880	7	104

According to official statistics there were in the State of Illinois for several years past 3,133,557 swine, of which 227,259 died. Whilst on the one hand the percentage of loss during the last five years decreased from 17 to 7 per cent., it was ascertained that, on the other hand, all cases of death were attributed to hog-cholera, even if death had ensued from other causes. A classification of the cause of death was not made, not even in the case of death by accident. It was further ascertained that in the above statistics no difference was made between pigs and hogs. The name "pig" is applied to the sucking pig until it is six months old; it is only after this age that it becomes marketable, and is then called "hog." In Europe this distinction, as made repeatedly by Mr. Scanlan, is unknown, hence the groundless and exaggerated fears. The living weight of hogs marketed is between 250 and 260 pounds, whereas the average weight of the pigs that have died is 103 pounds, which is conclusive evidence that the hog-cholera carries off the sucking pigs. "But the presence or absence of this disease exercises, as has been proven, no influence whatever upon the quality of the hogs sent to market, or upon the quality of the meat obtained from them, because it is utterly impossible to dispose of a hog that died by disease or accident for purposes of consumption.

We have no time to enter into the details of the minute description of the breeding, fattening (in the open air, in corn-fields, and a continual supply of pure water), of the transportations. Anybody at all acquainted with the subject knows that it is impossible to conduct the whole business in a more rational manner. On the arrival of a shipment of pigs at the cattle-yards "the dead hogs (for in spite of all precautionary measures deaths in the cars through suffocation, exhaustion, and want of water,

will occur) are taken in charge by the officials of a company, which, by a concession, has the sole right to confiscate all dead animals within the cattle-yards. This company fixes such prices as is deemed proper to be paid to the owner of such pigs, a price so advantageous to the company that that alone would be a guarantee for the watchfulness of its employés. It is not probable that a dead pig would escape the vigilance of these interested parties." In Chicago the Union Rendering Company is established, having its establishment at Globe station, near Chicago, where the confiscated dead hogs are boiled down into tallow and grease (white and brown grease); the offal is used for manuring purposes. The grease is sold to soap factories.

There are houses in Chicago which, owing to excellent machinery and other technical arrangements, can kill and prepare 4,000 swine daily. The Anglo-American Packing and Provision Company has packed in the two seasons from March 1, 1880, to March 1, 1881, 1,166,377 hogs; Armour & Co., in Chicago, 1,210,092 head. In all there were packed in that city 5,693,569.* This is an exceptionally extensive industry. To assume that an industry which is carried on with such painstaking cleanliness and such order and regularity would expose its interest to the danger of ruining the entire product, by introducing diseased swine, would indicate a total ignorance of the principle underlying its prosperity. The American speculates, but he does not adulterate, for he well knows that he would ruin his trade forever. "To mix and to fix" is better understood in Europe than in America.

Regarding the trichinæ, the report affirms that the inhabitants of America are the greatest pork-consuming people in the world, and that the people in the rural districts eat it two or three times a day, without the slightest fear of trichinæ. Of course, only the most thoroughly boiled meat is eaten. In fact, our habit of eating meat in a raw state is looked upon in France, England, and America as barbarous. Of 40,000 deaths in Chicago only two were traced to trichinæ, and in Cincinnati none have died through this cause for a number of years. The report assumes the percentage of American swine infected with trichinæ, owing to the superiority in breeding and fattening, to be much smaller than the swine in any other part of the world. An obligatory inspection of swine can not be introduced in a city where daily sixteen to eighteen thousand hogs are slaughtered. An inspector of meat can inspect at the highest only thirty pigs per day, nor so many thoroughly. There is no reason to doubt the thoroughness of this official investigation unless we would doubt the integrity of Mr. Scanlan and the honesty of purpose of the United States Government. This our Government certainly will not do. We may, therefore, inquire are they cognizant of this investigation? Have they, nevertheless, other reasons for decreeing this prohibition? On reading the remarks made by Mr. Burchard, we are almost compelled to assume that he was specially ignorant of the true state of affairs, and that his assertions were based solely on hearsay. Of course, since the retirement of Mr. Delbrück, we are accustomed to see every new economic measure proposed by the Government end in a miserable failure; and on the whole it is not worth the while to devote any serious consideration to such general and superficial remarks as were made in the debate in the Reichstag on the 7th June by the opponents to Mr. Booth's bill.

While on the one hand a prohibition of the importation of American pork would deprive the population of a cheap and nutritious article of food, and destroy the pork and beef trade in the German sea-ports, the question arises on the other whether it is wise from a commercial point of view to introduce a prohibitive policy towards a country which is purchasing a constantly increasing portion of our manufactured wares. The United States have paid for 257,000,000 marks' worth of German wares between the months of October 1, 1881, to September 30, 1882; that is to say, for about 56,000,000 marks more than in 1880–'81. Will we then insist in forcing them to adopt measures of reprisal, in which we would certainly be the losers, because our exporting interests in America are greater? We fail to see in any quarter any cogent reason for the introduction of a prohibitory measure, for we can scarcely believe that the agrarian interests should alone be the motive for such a measure, for there are too many weighty and general interests involved in the question.

No. 63.

Mr. Bailey to Mr. Davis.

No. 86.] UNITED STATES CONSULATE,
Hamburg, November 20, 1882. (Received December 8.)

SIR: I have the honor herewith to transmit a translation of the leading editoral in the Hamburger Handelsblatt, of November 10, 1882, together with the original.

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* We have in Germany a large packing-house of this kind—J. D. Koopman, Hamburg—which packs 130,000–140,000 German pigs yearly, exclusively for London.

The Handelsblatt is the chief commercial paper of Hamburg, and the article is from the well-known pen of its efficient and impartial editor, Mr. Franz Rosatzin.

For some time past there has been much discussion throughout Germany, and especially at the centers of commercial business, concerning the importations of pork and hams from the United States.

As is well known the people here do not eat as much meat of any kind as in America, chiefly on account of the high prices demanded for such articles.

The newspapers throughout the Empire have from time to time called the attention of their readers to the great danger (as they regarded it) to health and life in eating American pork and hams. Many educated and intelligent men have also promulgated the same notions, and now, go where you may, and converse with whom you please, you will generally find a wide-spread prejudice against this American article of consumption on account of the suspected trichinæ.

Of course there is no real foundation for all this fear and talk, but that it largely exists is indisputable.

It is also well known here to some, but not to the masses, that American pork and hams are imported and afterwards branded and sold as domestic meats, thereby enabling sales to be made at higher prices.

I have yet to learn of any deleterious effects or fatal cases arising from eating our pork and hams; but every American in Europe knows perfectly well the almost universal bias that exists here against all American productions; and our exports to Germany would be almost stayed were we not able to successfully compete in prices and superiority of article and manufactures.

If the proposed legislation is enacted, and the gate is shut against our pork, hams, and lard, I may venture the opinion that the people of Germany will soon realize the enhanced cost of living, and that the race is not essentially healthier and stronger for such exclusion.

I am, etc.,

J. M. BAILEY,
United States Consul.

No. 64.

Mr. Frelinghuysen to Mr. Sargent.

[Extract.]

No. 66.] DEPARTMENT OF STATE,
Washington, November, 28, 1882.

SIR: Your dispatch No. 74, of the 6th instant, in which you communicate to the Department the fact that you have received information to the effect that there is renewed agitation in Germany against the introduction of American pork, and that a bill has been prepared for submission to the Reichstag prohibiting the importation of this important article of our foreign commerce, has been received.

Thanking you for so promptly calling the attention of this Department to the matter, I have to request you to lose no suitable opportunity to oppose the measure and to show that it is groundless and unjust. * * *

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 65.

Mr. Sargent to Mr. Frelinghuysen.

No. 85.] LEGATION OF THE UNITED STATES,
Berlin, December 11, 1882. (Received December 29.)

SIR: I have the honor to state that the following is the draft of the ordinance that has been presented to the German Federal Council for the prohibition of the importation of American pork products, viz:

1. The importation from America (the United States) of pigs, pork, bacon, and sausages of all kinds is forbidden until further notice.
2. The imperial chancellor is empowered to permit exceptions to this prohibitive rule, subject to the necessary measures of control.
3. The restrictive ordinance of the 25th June, 1880, with respect to the importation of pork and sausages from America, is abolished.
4. The present ordinance comes into force thirty days after its promulgation.

Commenting on the above, the Berlin correspondent of the London Times, usually well informed and impartial, but in this case evidently * * * catching at superficial appearances, has the following, under date of November 30, 1882:

The prohibitive ordinance of June, 1880, above referred to, only applied to the importation of minced pork and sausages, but not to hams, etc., it being supposed that microscopic examination of the latter would secure the exclusion of unwholesome consignments. But it has been found impossible to exercise a rigid surveillance in this respect, and as it is known that American pigs suffer much more than the German from trichinosis, as well as from the infectious disease called hog cholera, the German Government feels compelled to take effective measures against the introduction of the dreaded germs. It is urged that the commercial and financial importance of the measure is not considerable. Live pigs are not imported into Germany from America in very large numbers, and of hams, pork, etc., only about 3 per cent. of the total national consumption; so that the difference could easily be made up by native breeders, or be derived from other states, such as Russia.

The correspondent accepts, as in good faith, and apparently without personal examination, statements to the prejudice of American pork as compared with the German article, which are totally unfounded, as also that the trade interests involved are very slight.

On the other hand a very strong memorial, in admirable temper, had been presented to the Bundesrath at the time this correspondent sent his dispatch by a committee appointed by a meeting of merchants at Hamburg interested in the American pork trade. This memorial, a copy and translation of which I inclose, shows by facts and irrefutable logic that the pretense that American pork is peculiarly diseased is the result of misinformation, and that the German trade interests in this article are very great.

The basis of this memorial is the report on this whole subject, made in May, 1881, to the State Department. I do not know how fully this report was circulated in Germany, but its conclusive statements are used with great effect in this memorial, and are proffered by the latter to the minds it is most necessary to influence.

The memorial alleges that the principal danger from pork consumption is from the use of native pork, which can not be subjected to the inspection which can be applied to the imported article, and points out as a fact that notorious recent cases of infection have arisen from the use of German pork. It has been conveniently assumed heretofore that pork in which trichinæ were found was American, the proof of its being American being that it contained trichinæ. The singular fact is stated that German pork is sold by the producers at higher prices than the imported article, the producers then buying the cheaper American article for their personal use.

The effect on the poorer classes by depriving them of a food necessary for their physical and mental development is well pointed out, and the loss of revenue is shown, amounting to 2,271,480 marks, which must be supplied by taxation on other objects.

It is also shown that the loss to German shipping interests will be enormous, and the loss so occasioned will, in great measure, accrue to England, Holland, and Belgium.

I am more than ever satified that there is no real foundation * * * in fact * * * for the assumption that sanitary reasons require this measure of exclusion. Such documents as that I transmit are conclusive to any unbiased judgment. The facts are too well supported, the arguments are too logical, and the illustrations too persuasive to leave a doubt. There is the pressure of the pork raisers in Germany back of the measure of the landed interest that is taxed by the tariff on many articles of consumption, and demands a monopoly in this market, an artificial scarcity, that their goods may be enhanced in price.

* * * * * * *

Singularly just at this moment the German press discusses the message of the President to reduce our import duties, by which it expects a large increase of German exportation to America. That justice requires careful * * * consideration of American claims has not apparently occurred to them, at least not in connection with this sweeping exclusion of American pork products.

I have, etc.,

A. A. SARGENT.

[Inclosed in No. 85.—Translation.]

MEMORIAL OF HAMBURG MERCHANTS TO THE BUNDESRATH.

HAMBURG, *November* 21, 1882.

The undersigned, citizens and merchants of this city, respectfully beg leave to make the following representations to the honorable Bundesrath for its consideration:

It having come to our knowledge through reputable journals that it was proposed to finally prohibit all importations of American pigs and pork into the district of the German Customs Union for sanitary reasons, a meeting of merchants engaged in that trade in this city was called on the 14th instant, at which the undersigned were authorized to call the attention of the honorable Bundesrath to such objections which, in their opinion, the proposed measure would encounter, not only from the interests involved at the places engaged in the traffic, which interest, however, we admit at the outset, will always have to give way to those of a more national character, but also, in a far greater degree, where national, economical, and fiscal interests are at stake.

If the reasons which on a former occasion led to the imperial decree of June 25, 1880, regarding the exclusion of chopped pork and sausages from America from Germany, are now also to be made to apply for prohibitive measures against other portions of pigs, such as are less easily controlled, as for instance, hams, shoulders, etc., they can not possibly be advanced to justify the projected prohibition against salt pork and bacon, for the reason that salt pork is only edible in a boiled state and trichinæ are never found in bacon. If, however, there should still be some apprehension that trichinæ might be contained in the small strips of meat that occur in bacon, the danger of infection could be reduced to the slightest minimum by the introduction of an obligatory inspection of the meat, which could be controlled at the ports.

But a comparatively greater danger lies in the consumption of our home productions, which can not be so easily controlled, and in which every part of the pig is employed in the preparation of food, and it is from this source that most of the serious cases of infection of which we read in the papers originate, as, for instance, the late case in Brunswick. Although we can not believe that in influential quarters any importance is attached to the newspaper reports regarding hog cholera, which are actuated by interested motives, we can not, nevertheless, refrain from calling attention to the official report made in May of last year to the American Secretary of State,

Mr. Blaine, which sufficiently refutes the slightest suspicion that diseased pigs could be employed in the preparation of human food.

In this report, "Result of an investigation made under authority of the Department of State of the United States," it is remarked: "The fact can readily be attested to that all rumors and reports that American pigs that have died of disease, or even by accident, are ever sent into the market, either in the form of meat or lard, are founded on malice and ignorance; for it is quite impossible for the packer or lard renderer, however much he might be inclined to do so, to use the carcass of a diseased pig in the preparation of human food in any form that could escape detection even by the most superficial inspection."

The justness and warranty for the above remarks must be apparent to all who, like the undersigned, are acquainted with the true state of things from personal experience in the great American stock-yards, and it is this fact which, in our opinion, imposes upon us the duty of making the following statement. By far the greater part of bacon that is shippped from America comes from Chicago, which place, as is well known, has not its equal on the face of the earth as regards the magnitude of its pork-packing establishments. The shipments of pigs to that place frequently exceed 50,000 head per day, and there are often no less than 10,000 to 15,000 pigs packed, as is the technical term used for slaughtering and preparing the pigs for the market, per day. It must be quite apparent to anybody that so enormous an industry can only be conducted by means of the most careful classification of the work, and hence it follows that each separate branch of the work is done by such fixed rules that any deviation therefrom, as, for instance, the advancement of the interests of any single branch, would be highly prejudicial to the interests of the whole. The swine are driven into the stock-yards (cattle-yards of one square mile, English, in extent), and thence selected and purchased by agents, excellently trained and experienced in their calling, for the packers.

The company, a stock company with a large capital, to which the stock-yards belong, has a contract with another company, "the Union Rendering Company," according to which the latter company has the right and duty, and, as it derives large profits from it, the *interest* to claim for itself all diseased animals.

From this arrangement, which has existed for years, it will be seen that it is utterly impossible to bring a diseased pig into market, and consequently it would be impossible for a packer, even if he desired to do so, to purchase a diseased animal.

But the business of those packers, too, is so extensive, each one of them, and especially all of them who work for the European trade, are so well known, and are such wealthy people and have acquired so world-wide a reputation for their wares in consequence of their scrupulous, conscientious management of their business, that their own interests would seem to compel them to exercise unceasing vigilance against any other than the best quality of absolutely healthy pigs ever reaching the market under their names.

All cases, barrels, and boxes, in which their wares are sent to all parts, bear their firm's name, and it is known throughout the business world with what justifiable pride these firms strive to send nothing but the best article into market. They are well aware of the injury that would be done to their interests if they could be ever justly reproached with shipping a bad or even inferior article. By these principles they demonstrate anew the fact, that has been observed everywhere, that whenever a large commercial or industrial enterprise was made to flourish, it was done only by the application of honest principles, and herein lies, in our opinion, the best guaranty for the protection of the consumer.

The diseased animals are used exclusively in the preparation of grease, which, as is well known, is used only for technical purposes. Any attempt to mix it with pork productions designed for human food would lead to ruinous results to those engaged. Such a manipulation would be quite as foolish as an attempt on the part of a renowned brewery to mix a quantity of spoiled beer with that of an excellent quality, in order to increase the quantity. All the above details are not only well known to American and European business men, but any one having enough interest in the matter, and who has occasion to express an opinion upon it, can easily inform himself as to their authenticity.

If, in the face of such well-known facts, it has still been possible to circulate the reports that, in our day even, diseased animals were intentionally and systematically used in the preparation of human food at the great American packing-houses, we believe, until we have received proofs to the contrary, that they were circulated by mistake, and on the strength of misleading statements. If we may now be allowed to regard the question from a national, economical point of view, we are convinced that a *general* prohibition would be greatly prejudicial to the interests of a great number of consumers, more especially to the poorer classes of our fatherland, without any advantage accruing to the German agriculturist. Yes, it can even be proven that such a prohibition would be injurious to the real interests of the latter. Of meat (salted, fresh, and prepared) there was imported into Germany, in—

	Hundred weight.
1878	632,235
1879	800,788
1880	477,314
1881	378,580

Although the customs tariff makes no distinction between the kind of meat, it is nevertheless well known to the initiated, and also apparent from the returns from the places whence these articles are principally shipped (Bremen, Hamburg, Belgium, and from the United States direct) that bacon is an important factor in the foregoing figures.

Of late years the importation has been sensibly diminished, owing to the high prices which have been occasioned by the short crops in America. When, however, prices were moderate, and the shipments more extensive, it was possible to supply a large portion of our poorer classes, and notably in the industrial district of Germany, with an article of animal food in the form of cheap American bacon, so useful to this class, and so necessary to their physical and intellectual development. The same state of things will again result from an increase in American crops, and nothing, in our opinion, could justify a measure which would deprive the classes in question of this so important article of food—not even a consideration for the interests of the German agriculturists—for what the latter produce in pigs and pork preparations brings such high prices, and during the period of cheap American pork brought such high prices, that our poorer classes could never think of purchasing domestic hams or bacon and lard to any extent worth mentioning.

On the contrary it has frequently happened—and herein lies the proof of the above made statement—that the unrestricted importation of bacon has redounded to the interests of the German agriculturists; that land-owners and farmers have sold the swine raised on their lands for the high prices which were paid in the markets (the price seldom fell much below 50 marks for 100 pounds, no matter whether American bacon cost 30 or 75 marks per hundred pounds), and bought for their own use the cheaper American bacon.

If, therefore, the sanitary reasons advanced for the prohibition and consumption of American bacon are not tenable, whereas on the other hand the interests of the poorer classes would seem to demand imperatively an unrestricted importation of this important article of food; and experience has taught us, moreover, that such importation can in no way be prejudicial to German agriculture—we may be pardoned for pointing out the fact that through a prohibitive measure the income from this source, which amounted to, in—

	Marks.
1878	948,359
1879	1,736,219
1880	2,863,884
1881	2,271,480

would cease, and the deficiency would probably have to be made good by the imposition of heavier duties upon other articles.

We would also, in conclusion, refer to the enormous loss accruing to the German shipping interests (even the provisioning of the ships, as far as this article of food is concerned, would have to be done in foreign ports), as also to the extensive intermediate traffic in the article in question with Scandinavia and Denmark by such prohibition. This traffic, in case the transit trade were not also prohibited by an especial measure, would be unnecessarily lost to German shipping and German trade and be diverted into Belgian, Hollandish, and English channels.

We therefore take the liberty at this early day to express the hope that, in case a general prohibition should be considered inevitable, the honorable Bundesrath will be pleased to consider as feasible the request to retain to the seaports the international traffic in the articles in question as soon as the latter shall have adopted such measures that will prevent any of the prohibited articles from reaching the German markets.

As any other motives for the contemplated prohibition than those alluded to have not been made public, as far as we are aware, we are constrained to confine ourselves to the foregoing statements and remarks, to which, however, we respectfully beg leave to make such further additions as occasion may offer.

We express the hope, however, that the honorable Bundesrath, in giving all due consideration to the German interests involved in the question, will come to the conclusion that the said interests do not require a prohibition of the importation of American pork and bacon; and that these two articles may be exempted from any prohibitive measure that may by adopted.

With all due respect for the honorable Bundesrath,

HEINRICH PFEIFFER.
ED'M J. A. SIEMENS.
GUSTAV J. J. WITT.

No. 66.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 87.] LEGATION OF THE UNITED STATES.

Berlin, December 18, 1882. (Received January 5, 1883.)

SIR: I have the honor to state, referring to my dispatches recently sent, stating the agitations for and against the prohibition of the importation of American swine products into Germany, that strong protests, similar to that of the Hamburg merchants, have been sent from Bremen and several other cities interested in the commercial aspects of the matter.

During the past week Herr Richter, the distinguished leader of the Progressist party in the Reichstag, made a powerful speech in opposition to the proposed exclusion, denying the soundness of the reasons adduced for such action, and also the power of the Federal Council to make the prohibition without the sanction of the Reichstag.

I presume you are aware that the proposition is pending in the Bundesrath, and is to be affected by a simple order or decree of that body, and is not to be adopted in the form of a law. In fact, it could not gain sanction as a law. In a more popular body, like the Reichstag, it would surely be defeated.

The power is claimed for the Bundesrath under an article in the tariff laws of July 1, 1869, which reads as follows:

> ARTICLE 1. All productions of the nature of art or industrial productions may be imported into, exported from, or transported through the entire district of the customs union.
>
> ART. 2. Exceptional measures may be temporarily adopted under extraordinary circumstances for the prevention of dangerous contagious diseases, or for other sanitary or precautionary reasons, for a part or the whole district.

The power herein granted is obviously for temporary purposes and for emergencies. Some great and unusual calamity impending must have been in the minds of the legislators. * * * [No] emergency now exists nor disaster impends from the importation of American pigs or pork; certainly not one so threatening that there is not ample time for ordinary legislative processes.

In view of these obvious considerations it is alleged that the Progressist party intends making an interpellation in the Reichstag regarding the threatened prohibition of the importation of American pork products. This interpellation I find reported in one of the local papers as follows:

> In reference to the project now pending before the Bundesrath to prohibit the future introduction of American pork products, the undersigned would address the following inquiries to the imperial chancellor:
>
> 1. Has the Bundesrath caused any statistics to be collected showing to what extent American meat products, especially bacon, are necessary articles of food to a large class of the poorer people in different parts of the country?
>
> 2. Does the Bundesrath propose to cause special statistics to be collected relating to the alleged unwholesome character of the American meat products at the port of entry and at the place of origin of the article?
>
> 3. Does the Bundesrath, apart from the question of a continual sanitary consideration in the premises, hold itself authorized to adopt measures restricting importations without the concurrence of the imperial Parliament, by virtue of the right vested, for temporary circumstances only, in the Bundesrath by article 2 of the tariff laws of July 1, 1869.

These questions go to the root of the matter. The considerations which they raise can hardly be ignored in the Bundesrath, though they may not prevail to prevent the foreshadowed action.

I have, etc.,

A. A. SARGENT.

No. 67.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 90.] LEGATION OF THE UNITED STATES,
Berlin, January 1, 1883. (Received January 19, 1883.)

SIR: I have the honor to report that a very strong feeling of opposition has been aroused in Berlin and other German cities as well as in the manufacturing districts generally against the threatened exclusion of American pork products.

Strong protests are being sent in to the Bundesrath, and committees of merchants and others have visited the capital to protest against the measure. Editorials in leading papers have fully exposed the falsity of the excuses for exclusion.

If this were strictly a Government of public opinion in the American sense, these general public appeals, backed as they are by solid reasoning upon indisputable facts, would prevail, and the project would be abandoned. But this is far from being the case, and the prospect is stronger than ever that the decree will be issued. I am informed that Mr. Bottischer, the imperial minister of the interior, informed a protesting delegation during the past week that the measure would certainly be adopted.

It is believed in some well-informed quarters that this will be done in a day or two, to anticipate the impending discussion in the Reichstag, which was adjourned until its next sitting, about the middle of January, when the opponents of prohibition will undoubtedly make a strong showing against both the policy and the legality of the measure.

There is considerable feeling on the part of the opponents of prohibition in the Reichstag in view of this threatened snap judgment, and a leading member of that body characterized it to me as "a mean trick."

The pretense of sanitary reasons is becoming the thinnest veil, which has been torn into shreds, and which is now apparently only insisted on as an excuse to the United States. The Berliner Tribune, a powerful organ of the Progressists, clearly showed in an article published on Saturday, the 30th ultimo, that it appears from official reports that from 1877 to 1879 there was an average of thirty-three deaths per year in Germany from trichinosis, and that the average has increased since then; and yet it asserts there has not proved to be one case of death, or even disease, from eating American pork.

On the other hand, it is shown that the methods of preparing export meat in the United States are absolute death to trichinæ. It says that in every case of death or disease from eating pork it has been from the use of freshly-slaughtered German, Russian, or Hungarian pork. It holds that the American assertion that diseased meat is never exported from our country is maintained, and such meat is too rapid in decomposition to be prepared for export. In a word, as it shows, there is no sanitary objection to American pork. It gives the true explanation of the agitation by saying that it is a thorn in the flesh of German proprietors that a pound of American pork can be sold here for 10 pfennige less than the home product.

If the move of keeping out the half million cwts. of American pork, imported into Germany yearly, could succeed, then their greatest rival is out of the way, and they will fix prices to suit themselves.

Of course, if the public is not to be benefited, the great landholders are.

If the price of pork rises 5 pfennige per pound, a hog of 300 pounds gains 15 marks in value on present prices, and the result is that the large farmers who slaughter yearly from 500 to 1,000 head have a gain of 7,500 to 15,000 marks.

It is no wonder that the hog raiser works in the interest of his pocket-book against the importation of American meat. "But woe to the poor, who pay to him the 15,000 marks! Woe to the hungry, who imagine that it is a duty of the Government not to make the means of living exorbitant!"

The falsity of the pretense of sanitary reasons, and the real motives, are here clearly exhibited, directly under the eyes of the council.

A similar showing is made in yesterday's National Zeitung. Both papers show that the present is, above all, an improper time for such a measure. There exists no reason for helping German agriculturists, for this year's harvest has been remarkably abundant, while American crops have fallen off, and consequently American exports to Germany, leaving the German farmers a nearly clear field and good prices; and these conditions can not be changed until the harvest of 1883.

But Europe needs American agricultural products, for it can not feed itself, but must pay for these with its labor.

It is also pointed out that Germany is likely to be a great gainer by the proposed reduction of the American tariff.

The Americans cannot be convinced that the meat which they freely eat without injury is unwholesome, or that the measure is not a selfish, injurious blow at their interests. The danger of reprisals is pointed out; and it is suggestively stated by the Tribune that because the French have recently been buying railroad supplies of Austria instead of Germany, probably getting them cheaper, a mere private corporation business, not involving governmental action, the German press has been clamorous for reprisals by overtaxing champagnes.

If the action of a few Frenchmen can raise such stormy calls for reprisals, what will the Americans think on seeing their pork prohibited while Russian pork is allowed to come in?

The Tribune sees in this measure new powder for the guns of the social democrats, and deprecates the adoption of a measure where the gains must be so little, and the damage is certain to be so great.

I have given the substance of these newspaper articles that you may see that there is no lack of light shed on the subject.

I have sought by every means to oppose the measure, and have lost no opportunity to expose its true character and to show that the health of American swine is unimpaired, and American swine products are entirely wholesome. I do not think these latter propositions are now seriously disputed by people of intelligence. The movement is merely selfish, and in disregard of the interests of the United States. The only argument which would be effective against the measure would be the fear of reprisals. We could not insist upon any people receiving from us articles deleterious to health, but we can as little submit to the exclusion of our products upon false pretenses—pretenses so obviously false as in this instance.

I have, etc.,

A. A. SARGENT.

No. 68.

Mr. Wamer to Mr. Davis.

No. 31.] UNITED STATES COMMERCIAL AGENCY,
Dusseldorf, January 10, 1883. (Received February 19.)

SIR: Judging from the tone of the large number of petitions that have recently been addressed to the German Federal Council, praying for a repeal of the law it has in contemplation of enforcing against the importation of American hog meat into the German Empire, a certain class of manufacturers here have felt no little anxiety that should the German Government persist in adopting any such stringent measures the American Government might retaliate in a manner that would work very detrimental to the importation of a certain kind of their goods into the United States. This hint toward retaliation by many of our American journals has had a decided effect in stirring up the Germans to feel wherein their interest lies, and they have perceived that the American nation is not that kind to accept anything like the sort of reciprocation their Government proposes to offer by excluding from their markets good and wholesome American products.

Considering the great interest that is now being manifested on the part of the German Government in its offering every possible encouragement to the extending of Germany's exporting trade, and as the industrial classes of Germany, chiefly of the iron and woolen industries, are wide awake to the increasing demand for their products in the United States and the bright prospects for them in the future should the tariff on foreign goods to the United States be lowered, there is no wonder that these people should be greatly desirous of putting a cessation to any unwise legislation by their Government that would exert the slightest influence in arresting in any way this thriving business with our country.

A glance at the value of the exports to the United States from Germany for the years 1881–'82 will show the increase above referred to. The total value of exports for the year ending 1881 was $52,989,181, and for 1882, $56,368,542. The values of woolen goods for the same years were $4,815,376 and $5,441,408, respectively, showing a trifle over half a million of dollars in favor of this one class of goods.

The petitions say that to prevent the importation of American hog meat into Germany would be a great deprivation to the indigent laboring classes in the industrial districts, who could not afford to pay anything like the prices that would necessarily be charged for the home production, and would have to live and work on food into which meat would not enter. They (the petitioners) further claim that all the excitement about the American meat containing trichinæ is to be attributed chiefly to gross exaggerations, without any foundation for proof, and that the German hog meat is just as liable to be diseased as the American.

In the iron mining and smelting district of Aix la Chapelle the petitioners have been very earnest in their appeals. They say the society for furnishing provisions to the workingmen in the iron works of Altenberg issued to their laborers, during the years 1874 to 1882, 428,404 pounds of the American hog meat and its products, and the mining works in the Eifel consumed 42,130 pounds from 1878 to 1882, which was purchased by the workmen in quantities varying from a half to one pound at a time. Now, as the supporters of this prohibitory law claim that *all* the American hog meat that is imported into Germany contains

from 1 to 5 per cent. of trichinæ, or is otherwise diseased, it will be seen that of the above amounts, even if reckoned as containing only 1 per cent., there would have been something like 4,704 pounds of trichina meat consumed by these people—enough to have afflicted every one of them with trichinosis. But there was not a single person that was so affected.

There were imported into Prussia, *via* Antwerp, from the year 1871 to 1881, 138,301,590 pounds of American hog meat and its products. Now, if all this amount has contained even 1 per cent. of trichinæ, it can be reasonably supposed that large numbers of Prussia's laboring people would have become afflicted with trichinosis.

If, after all, the proofs contained in the above petitions, which have been presented to the German federal council in the interest of the working population of Germany, should not have the desired effect, I think the American Government would be perfectly justified in inaugurating some such sort of retaliatory measures as suggested by many American newspapers and feared here.

I have heard it hinted by men whose opinions I have no reason for doubting that the chief object of the prohibition of the importation of American hog meat into the German markets is to force the population to raise its own pork.

WM. D. WAMER,
Commercial Agent.

No. 69.

Mr. Frelinghuysen to Mr. Sargent.

No. 74.] DEPARTMENT OF STATE,
Washington, January 12, 1883.

SIR: Acknowledging the receipt of your very interesting and instructive dispatch No. 87, of the 18th ultimo, in which you give an account of the method in which it is proposed to accomplish the exclusion of American pork from Germany, I have to request you to lose no occasion to compass the abandonment of the restrictive and unjust measures now proposed.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 70.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 96.] LEGATION OF THE UNITED STATES,
Berlin, January 13, 1883. (Received February 19.)

SIR: I have the honor to state that an interesting debate occurred at the session of the Reichstag on the 9th instant, upon the mooted prohibition of the importation of American pigs and pork by decree of the Bundesrath, of which I inclose a full report, without translation. This debate arose upon an interpellation addressed to the chancellor by

Herr Richter on behalf of the Progressist party, a copy of which is given in my dispatch No. 87, of December 18, 1882.

Herr Richter opened the debate by saying that the interpellation is in the interest of a large circle of poor people. He showed how injurious the previous prohibition of American sausages and chopped meats had been, and dwelt upon the entire lack of any effort by the chancellor to collect or present any evidence of the unsoundness of American pork, or that any diseases had been engendered by its consumption. He alluded to proofs accessible that cases of trichinosis observed arise from the use of German chopped meat fresh from the butcher. The only source of information of the chancellor was a document written probably as an advertisement, * * * and full of sensational stories. Goulard is himself quoted in the chancellor's memorial as an authority; yet the witness would not be for a total exclusion, but for a prohibition only of such importation as he did not profit by. A collection of the advertisements of the "Golden 110" (a cheap clothing store in Berlin) would be as good evidence in New York of the condition of German trade as this circular is here of any fact in American production. On such flimsy evidence was a measure proposed that would cut deep into German food relations. He denied that American pork furnishes only three per cent. of the German meat food, and that the deficiency could be easily made up otherwise, for in some parts of Germany the imports represent a very considerable percentage of meat nourishment. Consumers of beef might eat a small percentage of pork, but the poor classes used it wholly, and it was a large percentage of their subsistence. A food association of mining workmen near Aix states that 80 kilograms of American meat is used per head every year. Often the piece of American bacon is the only animal food in the dish which the wife brings to her husband for his noon meal at his place of work. Already the high price of American products causes the Westphalian workman to subsist on the refuse of sausage factories, or go without animal food. The short maize crop had raised the price of American pork, but a good harvest would put this food cheaply in the reach of the German poor.

He also challenged the right of the Bundesrath to make the prohibition under the tariff law of 1869, its only pretense of authority, which gives only the right of temporary suspension in cases of emergency. The whole speech was admirable and convincing.

Upon its conclusion, and as if to close the discussion, the ministerial director, Marcard, arose and answered the interpellation at once, not responding to any of the propositions of law or fact propounded, but declaring that the Bundesrath was still investigating the matter and had come to no conclusion, and no one had a right to announce its intentions in advance; that its decision would undoubtedly be laid before the Reichstag after it was arrived at.

Deputy Kapp was not disposed to have the interpellation so easily disposed of. He declared that the proposition of the Bundesrath is based on the allegation that American pork is dangerous, and the proof of this is not furnished. The Bundesrath had not obtained sufficient information. This it could have easily done, for the American Goverment had published the result of official investigations, especially the collective experience of Chicago and Cincinnati. The business amounted in 1880 to 100,799,414 tons. So great a trade could not take place unless it were conducted on the most conscientious and scientific principles. The continuation of the trade was only guaranteed by furnishing the best article. He regretted that so high an official as State Secretary

Burchard had promulgated such a groundless assertion as that cholera had broken out among American pigs, and had therefore demanded prohibition for sanitary reasons. Competent judges would have told him that cholera only affects young swine, which are never sent to market, as they pay too little. These also, when dead from disease decompose so soon that it is not possible to turn them into lard, and the pigs are used for grease and soap. He showed the care used in feeding and handling American pigs. He thought no one would be surprised at the manipulations of Messrs. G———. It would not be surprising if these gentlemen spread a report that they had been spoken of by the Reichstag with high praise. A decisive question with him was, Is it desirable to disturb the good relations with the American Government, which is engaged in reducing the tariff? Were this proposal now the law the working classes would be less physically able to serve the Fatherland. He trusted the council of state would abandon the injurious step.

The chancellor, Prince Bismarck, arrived during this speech to announce certain relief proposed by the Emperor for the flooded districts. He made a few incidental remarks upon the interpellation, and called pork "the poor man's trichina." He excused himself on the plea of ill health from speaking at length, and for that reason denied himself the pleasure of refutation. His remarks show that he was not moved by the arguments and facts presented by the opposition and had no disposition to relax his purpose to secure the exclusion of American pork products. * * *

When the debate was resumed Dr. Frege spoke in favor of exclusion, saying the speech of Mr. Kapp was entirely in the American to the exclusion of German interests. He believed the great quantity of hogs slaughtered made it impossible to eliminate the diseased. The German poor were not dependent on this food, as this pork is only 3 per cent. of their food.

Secretary Burchard defended his statement as to the danger from hog cholera by citations from the New Yorker Staats Zeitung, stating that the business is no longer a clean one, and alluding generally to scientific opinion.

Bundescommissioner Dr. Köhler asserted that it is established that, for instance, in Dresden, 10 per cent. of the American hams had trichinosis. Similar instances occurred in Magdeburg, Brunswick, Gestemünde, etc. The health officials have also announced that 3, 5, and 8 per cent. have trichinosis, and that pickling and smoking are not sufficient to destroy this. There are cases of fatal sickness as the result of eating this meat, especially at Bremen, Bostock, etc. He doubted if distress to the poorer classes would arise from exclusion, which would be a grave matter, but the duty of the Government is first to prevent dangerous articles from being imported.

Dr. Barth said he was not convinced by anything that had been said that there was danger from American meats. He carefully refuted the statements of the previous speaker in regard to the prevalence and consequences of trichinosis in American pork, and said the consumers of the food petitioned against prohibition, and the only ones in favor of it are the Bundesrath and some interested hog-breeders.

In France and Austria-Hungary the prohibition was imposed before the investigation by the American Government. In the latter country it is about to be taken off. If Germany now imposed it, after the investigation, it would act very offensively to the American Government, and drive them to reprisals, such as there were in 1872, on the part of the United States against France. Deputy Kapp did not, as Deputy Frege

charged him, serve American, but German interests, as he warned them before such reprisals. The danger which the use of brandy brings with it is immeasurably greater than that evoked by the use of American pork. In the Berlin hospital in 1878–'79 there were 623 persons suffering from chronic alcoholism, of which 40 died. Yet nobody would deduce from that the necessity of forbidding the use of alcohol. In the interest of the relations with America, of the laboring classes and commerce, he invoked further serious test by the Bundesrath before excluding American pork.

Deputy Ahlhorn said the working classes are accustomed to this food. He had collected many reports and made many investigations, but not a single case had been authenticated whose sickness has been the result of using American lard or bacon. If this measure is deemed necessary it should be brought before the Reichstag for legislation. It is a question of the indispensable food for the poor man, who is already injured by the new taxes.

Here the debate on the interpellation closed. The vigor with which it was wagered by the opponents of the measure and the fact that very serious interests, commercial and others, are affected by it may have the effect of preventing the decree, though I am not sanguine of that at this writing.

I have, etc.,

A. A. SARGENT.

No. 71.

Mr. Fox to Mr. Davis.

No. 192.] UNITED STATES CONSULATE,
Brunswick, January 15, 1883. (Received February 9.)

SIR: I have the honor to inclose an article, with translation, which I take from the Magdeburger Zeitung of January 12. It is not in my province to even refer to the political reasons which the Government had for proposing the prohibitory measures against American meats. It must, however, be very satisfactory to our exporters to note that the result of the discussion has been to bring forth indisputable evidence of the fact that American pork is an absolute necessity in Germany, and the statement coming from such recognized authority as Professor Virchow must carry conviction that the German health is not jeopardized by eating it.

I am, etc.,

WILLIAMS C. FOX,
United States Consul.

[Inclosure in No. 192.—Extract from the Magdeburger Zeitung of January 12, 1883.—Translation.]

The following letter from Iserlohn, received by a delegate (of the Imperial Parliament) on the day following the debate in regard to the measure prohibiting the importation of meats, has been handed us, and we publish the same as supplementary to the discussion in question:

"In our mutual benefit store in this place—whose business manager I am—we have for the past ten years kept American bacon in stock, during which time we have sold some 300,000 pounds. In the other local business establishments about 700,000 pounds have been sold, and not one single case of trichinosis has occurred. A prohibitory decree would rob the workman of a good, healthy, and thereby a cheap nourishment. Three years ago, the then newly imposed duty had the effect of greatly in-

creasing the price. Before the introduction of the duty I bought American bacon for 34–35 pf. per pound; Westphalian bacon for 45–50 pf. per pound; to-day the same costs: American bacon, 62 pf. per pound; Westphalian bacon, 84 pf. per pound.

"We formerly sold 1,500–2,000 pounds, to-day only about 500 pounds, monthly. A prohibitory measure would simply so increase the price of Westphalian bacon that it would be an impossibility for the workmen to purchase this healthy article of food."

* * * * * * *

It is of great importance that Professor Virchow, who is recognized as the leading authority on the subject of trichinæ, is against the prohibition. He says that with absolute certainty he has not been able to find one case of trichinosis caused by American bacon or ham, and that he has only heard of one, viz, in 1874. It appears that the American trichina loses its injurious properties through smoking, salting, pickling, and especially through the long journey. This fact has been certified to by Dr. Schulze, Government medical counsellor in Minden, in his report for the year 1880. He says: "The assertion that the trichinæ loses its infectious properties through transportation, smoking, and salting must certainly be maintained, since, notwithstanding the presence of trichinæ, no case of illness from eating such meat has been recorded."

No. 72.

Mr. Wamer to Mr. Davis.

No. 32.] UNITED STATES COMMERCIAL AGENCY,
Dusseldorf, January 22, 1883. (Received February 19.)

SIR: The speech delivered in the German Imperial Diet at Berlin on the 10th of this month by one of its distiuguished members, Herr Eugen Richter, a representative from the district of Hagen, Westfalen, is so strong in its plea against the passage of a decree by the German Government, prohibiting the importation of American hog meat and its products into the German Empire, that I have thought it important to furnish the Department of State with a translation of the same. It is also based on similar protests against the prohibition of the importation as contained in my dispatch No. 31, transmitted recently to the Department.

WM. D. WAMER.

[Inclosure in No. 32.—Extract from the Kolnischen Zeitung.—Translation.]

MR. RICHTER'S SPEECH.

GENTLEMEN: The interpellation is offered in the interest of the population of extensive districts. As a representative of the people of the district of Hagen, who are greatly interested in this matter, I support this interpellation.

On the 21st of November last year proposals were made to the German Federal Council, by the imperial chancellor, to issue a decree of prohibition against the importation of American pork and its products into the German Empire. The prohibition will cut very deeply into the food supply of the population, inasmuch as there are many hundred thousands of *centner* (equivalent to a little more than one hundred pounds) that will be affected annually by this prohibition of the importation.

It was no later than the year 1880 that the Federal Council issued a decree in reference to the importation of American sausages and hacked meat, in which it was expressly prescribed that the importation of whole hams and sides would be permitted. Now the imperial chancellor bases his proposal in the Federal Council upon the unhealthfulness of the products of American meat, particularly of the hams and bacon. But since the year 1880 nothing has become known to either the consumers in these districts that has given cause for any complaint against the use of the American hog meat on account of its unwholesomeness or to the officials in those communities, whose official duty it is to examine into everything that is supposed to be injurious to the health of the people where the American products are generally enjoyed.

Some few years ago the scientific commission of the Prussian ministry for sanitary affairs also declared itself against such a prohibition.

Since then other petitions to the imperial chancellor have become known, which have been presented at the request of various agricultural societies, aiming at such a prohibition of American products. The memorial of the imperial chancellor to the Federal Council first proves that the injury to health of these articles is by their producing the trichina disease, and secondly, by the cholera among American hogs.

In reference to the trichina disease, the memorial says that the danger from the eating of American hog meat is at least six times greater than from the eating of the home products.

I will not go into the particulars from which this conclusion has been drawn, since the simple question is this: If of these articles hundreds of thousands of *centner* are annually consumed, and that thereby the danger is six times greater than with the domestic ones, where are the sick, where are the dead, which in consequence of this quality of the American hog meat we have to complain over?

The memorial of the Federal Council simply says: Undoubtedly diseases have been declared by the control at the places of import, in Germany, in consequence of the eating of American hog meat. The memorial does not make the slightest attempt to specify in numbers a single case.

* * * The superior medical adviser (*obermedicinalrat*), Eulenburg, who imparts his advice in the ministry of the interior, and who is a distinguished authority on sanitary matters, quotes from a report made by him in 1881 the cases where sickness and death have occurred, and I hereby declare that in all these cases not a single case of sickness or of death can in any way be attributed to the diseased condition either of the American or German hams and bacon. [Hear! Hear!] There are but two cases of sickness given as having been produced by sausages, and there is no proof indicating that American import products were in any way concerned in them.

The chief causes of the trichina disease have been in consequence of the eating of hacked raw meat, and the three cases there noted are much more important than all the rest of the diseases together.

On the ground of these experiences the eating of hacked raw hog meat could be forbidden, but not the importation of hams and bacon, which play no part in these statistics.

Now, I have conversed with my friend Virchow [the great German pathologist] concerning this matter. He is known for his strict demands, which he chiefly places on the police sanitary board, and, again, through the great attention which he has given from the beginning in the investigation of the trichina disease. He is in certain circles of the butchers and slaughterers one of the best interested and most hated of men. My colleague, Virchow, has authorized me to declare that he considers this prohibition of the importation in no manner justified. [Hear! Hear!] He says he has investigated this matter very thoroughly, and has taken the greatest pains, and up to the present has not been able to find out but one case, and that was in the year 1874, that is eight years ago, in which the trichina disease was produced by the eating of the American hog meat.

A valuable testimony is furthermore the report of a coöperative association, which states that the association had ordered in one year in its district 212,200 kilograms of American hog meat, and that not one single case of sickness has occurred, although, according to the usual calculation, 4,704 purchasers have received bacon containing trichinæ.

If on the one side it is acknowledged that there exist in a comparatively large number of the sides of bacon trichinæ, and upon the other side none, or only single cases of sickness can be proved, then the conclusion is evident that in consequence of the salting, pickling, smoking, the long transportation, and in general the whole manipulation to which this article is subjected previous to its being placed on the market, the trichinæ are either no longer living or no more in condition when they reach the human organism to produce in any way dangerous effects. This conclusion is confirmed by a statement of Dr. Schülz, government medical adviser at Minden, in whose district a large part of the investigation of American bacon has been made, and who says:

"The assertion that the trichinæ which appear in great masses in American prepared meats have lost, through the manipulation to which they are subjected, their power of reproduction in the human system, must still be maintained; that notwithstanding the enormous consumption of these meats there has not been a single case in which the sharpest kind of a diagnosis has revealed the presence of trichinæ."

In the face of this statement one may better conclude that the investigation of American hams and bacon is superfluous rather than its being insufficient.

Nevertheless, I will make no objection against the investigation of American bacon and hams, through official inspectors. It may be necessary to satisfy the consumers, and to the rejection of bacon that is more or less objectionable.

But when it is said that among the examined bacon are so many trichinæ, it may rightly be said that this investigation of the American import is much easier than the investigation of hogs butchered in Germany, for these are scattered over the whole

country, while the importation comes *en masse* only from certain places, and where the regulations for the investigation are at hand. * * * Now the memorial continues:

"Yes, even if the American bacon should be examined at the port of entries it would still be difficult to destroy the rejected bacon in a manner to prevent contagion; dogs, rats, and mice could transmit the trichinæ."

Yes, gentlemen; when that is possible here, it is also possible in reference to trichinæ found in the rejected German bacon, and then we come to the point of the Mosaic rule (very true), for dogs, rats, and mice make no distinction in regard to their appetite whether the rejected meat is American or German.

In regard to the second ground for the prohibition of importation, namely, the cholera, the memorial does not say that such a case has occurred in Germany at all; only in England live hogs have been introduced which had been infected with the disease, and the English ordered them to be killed immediately after their arrival.

The English, therefore, are satisfied with this police order; with us, where no such cases have come to light, a general prohibition of import is at once ordered.

Years ago the Secretary of the Department of State had taken occasion to institute a formal *enquete* in reference to the cholera disease, and appointed the director of the Bureau of Statistics to make the investigation.

The American Government had the results of this investigation published and forwarded to all their diplomatic agents in foreign countries. It maintains that all the American hogs are of the best and purest breed; that the report spread in Europe concerning the disease of American hogs in consequence of the hog cholera is greatly exaggerated; that the percentage of death among American hogs is not any greater than in Europe; that of the American hogs which die of cholera in consequence of the strictest investigation and inspection to which they are subjected no diseased ones can be sent abroad, and that out of the meat of such hogs no bacon nor lard can be prepared for the trade.

One should think when a Government prepares such a memorial as this that proper notice should by all means be given to the investigations of the American Government. But what does the imperial chancellor do? He creates the impression that the memorial of the American Secretary of State had been written in the year 1882, and says nothing else concerning its contents save only that "the results of the *enquete* form a comparatively valuable material," but calls attention to the fact that these compounded reports are neither complete nor sufficiently reliable for a control. Official proceedings to confirm these declarations by oath as bound by law have not taken place.

Yes, gentlemen, neither have they taken place with us. One should think that if the imperial chancellor utters such positive judgment in regard to the official *enquete* of the United States he would have greater reason to produce on his side truthful and complete statements of impartial men.

As proof of the proportion of the disease of American hogs a paper of an official American stenographer is mentioned. The imperial chancellor puts, then, against the Secretary of State of the United States a stenographer of New York! I do not know what stenography has to do with this question. Has that man been ordered when he hears complaint about hog meat to stenograph the same? He appears as a man who at times is employed by authority for stenography, and who has been ordered to put his name on a pamphlet which is put together out of various articles from a New York commercial paper [Hear! Hear!]; and in the memorial of the Federal Council of the size of nineteen quarto pages, the extracts of the official stenographer out of the commercial paper occupy fully four pages [Hear! Hear!], such great value has the imperial chancellor placed upon the stenographer.

By closer inspection one finds that all articles of this commercial paper are nothing else but a business advertisement of the firm of Goulard, Rouse & Bostwick.

In America it is a private business to grant certificates in regard to the meat intended for export. A number of persons in New York make a good business from it. But by degrees Europeans have become wise enough to avoid the middlemen of New York by securing certificates directly from export places in the West.

The New York men, not being pleased with the loss of their former profit, give their competitors in the West a bad name by saying they do not understand how to examine the meat properly.

This puff appears even in the extracts. In the paper of the American stenographer we read: "The Western colleagues seem to show a great indifference in reference to the manifest superiority of the New York inspection." When Austria received meat from New York which had been subjected to the inspection of the house of Goulard, Rouse & Bostwick no complaint was ever made. The dreadful stories which New York business men have circulated about their competitors in the West form what the imperial chancellor has communicated to the Federal Council on the condition of the American hogs.

The imperial chancellor has, of course, been more careful in his proceedings, but other people have procured the American pamphlet for themselves, and found that the extracts in the memorial break off just where the puff advertisement begins. The

memorial says, "There is but one remedy to protect against danger in the importation of hog meat, and that is by careful inspection." The pamphlet then continues, "Such an inspection will only be guaranteed through the firm of Goulard, Rouse & Bostwick." [Great hilarity.]

If an official stenographer should be called upon to make for the American federal council compilation of what has been written concerning the golden number one hundred and ten, the people there would perhaps come to a peculiar conclusion about German solidity and German industry. [Here the speaker read other passages from the American pamphlet to prove that the pamphlet is written as an advertisement.]

The pamphlet is the more remarkable since Goulard himself acts as a principal witness of the imperial chancellor. His testimony is quoted under the title, "Our reporter's interview with Mr. Goulard of March 14, 1881."

Now, I must say if an order is to be issued upon the basis of such material, the same should read that the only products allowed to be introduced into Germany should first be seen and inspected by Mr. Goulard.

That, gentlemen, is the argument for a measure of the most decided effect. It shows how easy the imperial chancellor is influenced in making such proposals to the Federal Council.

Such a prohibitory decree of an article of export is for our people of the greatest importance, since annually several hundred thousand *centners* are imported.

The memorial says it concerns only about 3 per cent. of our meat consumption. It does not depend upon the general percentage which this importation has for certain parts of Germany and certain classes of the population. For example, it is mentioned in the petition of the Consumption Association for Mines and Iron Works that each workman consumes from 140 to 160 pounds of this product yearly, which amounts to a very high percentage of their entire nourishment. The principal thing is that American *bacon is much* cheaper than the German, and that it is for many people the only meat diet available, which is true in particular of the workingmen of Westfalen. For this reason the board of trade in Westfalen have declared against the prohibition of importation, not, indeed, in consequence of commercial interests, but on account of the difficulty of replacing the product.

Even the Chamber of Commerce at Dortmund, which upholds the politics of the chancellor, has petitioned against the prohibition. Agricultural societies in Westfalen also oppose the prohibition, simply because the production of hog meat in Westfalen is not sufficient for the supply in these regions, and they therefore find the import indispensable.

The question now comes up, how happens it that the Federal Council can issue a prohibition of such importance without the co-operation of the Reichstag (Imperial Parliament)? As a single argument in its favor one paragraph in the customs regulations can be cited, which speaks only of a temporary prohibition for sanitary reasons, and this can not be taken into consideration with the present case.

The law of the German tariff union mentions, instead of a "temporary prohibition," a "fixed time," for the duration of the prohibition can not be determined in the beginning; but this can only apply to prohibition of import on account of cattle plague and the like. For this reason the Federal Council is not justified in issuing a prohibition against the importation of American hog meat without the co-operation of the Reichstag, and I hope that the Federal Council will duly consider the material reasons which speak against the prohibition, and not conclude to make the question of law objectionable, in which case we must resort to special proposals to protect our interest.

If you dissent from the prohibition you will confer a great deed of charity on large districts of the population.

No. 73.

Mr. Frelinghuysen to Mr. Sargent.

[Telegram.]

DEPARTMENT OF STATE,
February 15, 1883.

The President invites Germany to send a commission of experts to the United States to examine raising and packing of hogs and hog products for food. He asks that final decision in prohibitory measures be suspended until commission can adequately report.

Instruction by mail.

FRELINGHUYSEN.

No. 74.

Mr. Frelinghuysen to Mr. Sargent.

No. 87.] DEPARTMENT OF STATE,
Washington, February 16, 1883.

SIR: I transmit herewith copies of a memorial addressed to the President, under date of the 9th instant, by the Chamber of Commerce of the State of New York concerning the apprehended prohibition by the German Government of the importation of American bacon—hams and hog products—into the territory of the Empire.

The considerations set forth by the memorialists are believed to be justly stated. They represent what this Department has so frequently hitherto represented through your legation, that the alleged existence of trichinæ, and of diseases among swine in this country to an alarming extent, can not, even if established, affect the healthfulness of the exported product, inasmuch as the hog products of the United States are prepared for market in a manner which renders their uncooked consumption all but impossible; that the disease known as trichinosis is rare among American consumers of swine's flesh, and that not more than two or three cases in Germany during the past ten years have occurred where the disease could be ascribed to the consumption of American pork, while most of the reported cases in Germany are directly traceable to the consumption of the raw meat of freshly killed domestic hogs. And they state further that with respect to alleged exportation of deleterious meat from diseased hogs no substantiation whatever has been shown.

As you are aware, this Government at home and through its legation at Berlin has made every effort from the first to countervail a tendency toward what it believes to be uncalled for and unjust legislation on the part of Germany, in seeking to exclude from one of the largest markets of the world a product of such great importance to the United States. No endeavor has been spared to bring home to the mind of the Imperial Government the conviction, reached by this Government after exhaustive and impartial investigation of the subject, that the premises upon which the intended prohibition rests are unfounded, and that the exported hog products of the United States are in nowise the indiscriminate source of danger to life and health which they are alleged to be. You and your predecessors have earnestly set forth all this to the Imperial Government; you have labored to convey a right understanding of the facts of the matter as they are ascertained to exist here, and you have urged the hardship, almost amounting to an international wrong, which would be inflicted alike upon the producers of the United States and the peasantry of Germany, by cutting off from the one class a large and secure market, and depriving the other of a cheaper food than their own country can supply. So far as is now known, your efforts in this direction have not been crowned with the hoped for result.

But one course now remains. It is believed here that if the Imperial Government itself were to do as the Government of the United States has done, and closely examine on the spot all the conditions of the hog-raising and packing industry, if it were to follow by practical observation the course of this staple of food from the fields and farms to the packed state, the same conclusions would be inevitably reached as those to which this Government has been drawn. So firmly is this believed that the Government of the United States deems it a common duty to

its own citizens and to the consumers in Germany to invite the Imperial Government to examine into the matter for itself, by a commission of experts sent to this country, before final decision is taken on the proposed measures.

This Government stands ready to extend to that of Germany the fullest facilities for the profitable pursuit of such an investigation. Believing that the results which it will promise are of no less moment to the consumers of hog products in the United States than to those in Germany, it is willing to lend the services of one or more impartial experts, scientists of known probity, to co-operate with those whom Germany may send, if such co-operation be deemed desirable and acceptable by Germany.

You will therefore present to the Imperial Government, in the name of the President, a formal proposal and invitation to send to the United States a commission of experts, who shall either by themselves or jointly with impartial scientists named by the United States, investigate the whole question of hog raising and the curing and packing of hog products as food in the United States. And you will ask that action in a final sense upon the pending prohibitory measures may be suspended during such reasonable time as may be necessary for such a commission to make a thorough examination of the subject and report thereon. You will add that in making this proposition the Government of the United States is actuated by the fairest and most friendly motives; that its desire, no less than that of Germany can be, is solely that the truth of the matter may be established, and that it deems its reasonable request entitled to friendly consideration on the part of a Government bound to the United States by so many ties as is that of Germany. It is thought, above all, necessary that some such course as that now proposed be adopted to free whatever resultant course Germany may adopt from the possible charge of being an unfriendly discrimination.

You will read this dispatch to the minister for foreign affairs, and leave with him a copy.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

[Inclosure in No. 87.]

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

Memorial in regard to the prohibition of the importation of American bacon and hams into Germany.

To the President of the United States:

The Chamber of Commerce of the State of New York respectfully asks leave to represent that the Imperial Government of Germany has openly declared its intention to prohibit the importation of American bacon and hams into their country, on the ground of the alleged unwholesomeness of these products, and that such prohibition threatens to destroy a valuable and growing branch of commerce between our country and Germany.

Your memorialists are aware that the honorable the Secretary of State has already directed the attention of the United States minister at Berlin to the subject. In view of its grave importance, and of the fact that the German Government has only recently made a public statement of its intention and of the reasons that have prompted it, your memorialists nevertheless deem themselves justified in adding their testimony to the information already in possession of the Government, and in directing its attention to those points which, in the present position of the matter, appear to be of the greatest importance.

The German Government bases its intention on two facts which it claims to be established, namely, first, on the occurrence of the parasite *trichinæ spiralis* in the American hog products to a greater degree than it is found in the German hog; and secondly, on the wide-spread prevalence in our hog-producing districts of the disease known as hog-cholera.

Your memorialists are convinced not only that both these charges are exaggerated, but also that the conclusions drawn from them by the German Government are not justified, and can form no reasonable ground for the contemplated prohibition.

1. *Trichina.*—The German Government claims to have established the occurrence of this dangerous parasite in about 4 per cent. of the American bacon and hams imported into Germany, which is stated to be the result of accurate investigations prosecuted during a series of years. No similar official tests having ever been made on this side, your memorialists are unable to disprove or to confirm the alleged fact, and any contradiction from our side, therefore, is not likely to be accepted. But there is one fact which, if properly urged, should convince the German Government of the injustice of basing a decree of prohibition on the alleged occurrence of trichinæ in American bacon and hams, which is this: That these products of our country are prepared for market in a manner which renders their consumption in the raw state all but impossible. This alone accounts for the rare occurrence among American consumers of the disease known as trichinosis, and for the fact that, according to the German Government's own statement, not more than two or three cases have, within the past ten years, occurred in Germany, where the disease could be ascribed to the consumption of American pork, while all wide-spread and dangerous cases of trichinosis in Germany have been traced to the consumption of the raw meat of freshly-killed domestic hogs. These facts, instead of justifying the threatened prohibition, rather go to establish a great advantage, in a sanitary point of view, of the use of the American product over that of the domestic meat.

2. *Hog-cholera.*—The existence of hog-cholera also is not denied, though the prevalence of the disease can be proved to be greatly diminished, since the bulk of our hogs is no longer raised mainly in connection with our distilleries, but on our Western farms, where they are fed on Indian corn. In urging this charge the Government appears to have placed more faith in exaggerated newspaper reports than in the results of the official investigation instituted by our Government, which were embodied in the report made to the State Department by Mr. Scanlan, Chief of the Bureau of Statistics, dated April 26, 1881, which report has been before them. Here again, however, the German Government has drawn conclusions from the facts alleged which are not justified even by these facts, since they have been unable to point out the occurrence of any American meat which might have been called diseased from that cause, much less any injury that might thereby have been inflicted on the health of the consumers.

In view of the fact that the thorough and systematic exclusion of diseased hogs from our packing establishments can easily be proved to any fair-minded man that will take the trouble of examining into the process connected with the preparation of these products for market, your memorialists respectfully suggest that the German Government should be invited to examine into this matter by a commission of experts sent to this country before final decision is taken on the proposed measure.

And your memorialists will ever pray, &c.,

GEORGE W. LANE,
President,
GEORGE WILSON,
Secretary.

[SEAL.]

NEW YORK, *February* 9, 1883.

No. 75.

Mr. Sargent to Mr. Frelinghuysen.

No. 109.] LEGATION OF THE UNITED STATES,
Berlin, February 17, 1883. (Received March 10.)

SIR: I have the honor to report that, at the request of Count Hatzfeldt, imperial secretary of state for foreign affairs, I had an interview with him to-day, where a number of questions interesting to the United States, which I had previously called to his attention, were provisionally discussed, of which I will make full report as soon as conclusions are reached. When he had concluded with his topics I read to him your telegram of the 15th instant, which states that the President invites

Germany to send a commission of experts to the United States to examine the raising and packing of hogs and hog products for food, and that he asks that final decision on prohibitory measures may be suspended until the commission can adequately report.

I told him that the proposed prohibition had excited a good deal of attention and some feeling in America, explained the importance of the proposition to the United States, informed him that there was a general belief there, founded on experience and careful examination, that the objection to American pork as a sound article of diet is unfounded, and that the exclusion would be improvident. I called his attention to the conclusive and candid report of the commission appointed by the State Department to examine and report on the mode of raising hogs and preparing their products for market, made after extensive and exhaustive investigation. I told him I would send to him a fuller statement of the matter as soon as I received the instruction now on the way to me by mail, and would also at the same time send a copy of the public document to which I referred; and I trusted that while the imperial government were considering this proposition of the President nothing further would be done, and the proposition would be accepted. He said nothing decisive upon the subject, as, of course, he could not of his own responsibility, but expressed a desire to have the documents and information in question.

I have, etc.,

A. A. SARGENT.

No. 76.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 111.] LEGATION OF THE UNITED STATES,
Berlin, February 24, 1883. (Received March 13.)

SIR: Referring to my No. 109, of February 17, acknowledging my receipt of your telegraphic instruction, dated the 15th, and stating my reading the same to Count Hatzfeldt, imperial secretary for foreign affairs, and stating the importance of the subject from the American stand-point, etc., I have now to report that the Bundesrath, on the 18th, unanimously approved the decree of prohibition of American pork products, taking no notice of the proposal of the President, if the same was brought to their notice by the imperial foreign office.

I have no official statement of the decree as yet. The Berliner Tageblatt of last evening contains the following:

> As we announced, the Bundesrath has approved the ordinance on the prohibition of the importation of American pork, with some reservations, which seem to contradict the reasons given for prohibition, viz, that the meats are unhealthy. For instance, the commerce in such meat is not only permitted to German ships with other countries, but it is also allowed to the Hanse towns to supply their ships with such meats.
>
> The permission, according to rumor, has been given on the ground of the existing laws.
>
> The power of the Bundesrath to issue such ordinances rests upon the *Zollverein* laws, and especially upon article 2 of them. The Hanse towns, which stand outside of such *Zollverein*, do not thus come under the provision in question, and to obtain their adhesion the reservations were added.

Immediately upon the action of the Bundesrath becoming known to me, I prepared and sent to Count Hatzfeldt a note, a copy of which is

inclosed, in which I called his attention to the honorable Secretary's telegram which I had submitted to him on the 17th instant, stating that I had promptly conveyed the proposal of the President through the only possible official channel to the Imperial Government, and that it had been also widely published in the German newspapers, where it would unofficially reach the Bundesrath. I requested that an official copy of the late ordinance of the Bundesrath might be furnished to me, so that I might notify my Government of the exact terms of the response or constructive refusal made to this request of the President upon a matter of very much importance to the United States, and deeply affecting the trade relations of the two countries.

I, however, expressed my impression that the ordinance could only go into effect by the express approval of the imperial executive, and therefore asked leave to again call the attention of the imperial secretary to the proposal of the President, and to repeat what I had said at our interview of the 17th instant, that the United States view with concern this ordinance designed to destroy an important part of its export trade with Germany; that the United States had had the whole question of the soundness of American pork, the modes of rearing hogs and preparing the products for market, carefully and impartially examined, and are convinced by the report made to it, a copy of which I inclose, that the attacks made upon the great article of product are unjust and prejudiced, and not in any degree warranted by the facts in the case. This being so, I stated that the President confidently relies upon the result that would follow the examination by a German commission, and invites the Imperial Government to send such an one, and await its report before striking down an industry that not merely furnishes all the animal food to large classes in Germany (a consideration more immediately addressing itself to the Imperial Government), but causes great loss to the people of the United States, whose capital is involved and labor employed in preparing pork products for market.

I suggested further that there is no emergency in this matter that can not await ordinary modes of dealing with questions of such moment, there being no apparent reason why this ordinance should be enforced this month, or year, more than last or the next, as there is no epidemic caused by German consumption of American pork, not even a well authenticated instance of casual sickness; that high German scientific authority stated that the very rare cases of trichinosis found in Germany for years past have arisen from eating raw German or Hungarian pork, and that no case whatever is traceable to American pork, which is so cured as to be harmless.

I suggested that where the evidences of harm done are so shadowy, and are opposed by carefully grounded statements, and the interests involved are so great, the request of the President for investigation might well commend itself to the Imperial Government as reasonable and statesmanlike, and consonant with the kindly relations existing between the two countries, a sense of which on the part of his Imperial and Royal Majesty had been recently conveyed to me by the chancellor on the occasion of the generous relief extended by the citizens of the United States to the sufferers of the Rhine Valley. Believing the imperial Government to be animated by the sentiment expressed in the chancellor's communications, I believe it would not desire that the American Government or people should rest under a sense of injustice from the execution of this measure, yet such a consequence seemed inevitable where all modes of honest investigation had been exhausted by the American Government, with the result of apparently proving this product sound,

and where daily experience shows none of the assumed inconvenience to either German or American health, and where the Imperial Government is formally and courteously asked to look into the whole subject for itself before acting upon possibly interested advice, or in the absence of anything worthy the name of evidence. I therefore asked for a response to this proposal of the President, that investigation be had, and that meanwhile this serious blow to American interests be suspended.

I deemed it best to add, that as the United States are a large and growing consumer of German manufactures, and the food they export to Germany is their principal article of exchange, the laws of trade must dictate their obtaining the goods they import elsewhere if the equivalent which they furnish is refused. This would probably result even if the Congress did not meet the issue by legislation, under the belief that another motive than the unsoundness of American pork products caused this exclusion; though such a belief could not obtain, if fair investigation on the spot by German experts showed dangerous and peculiar unsoundness to exist. I expressed a hope that this many-sided question may be tested as its importance deserves.

As this question is a burning one, I have acted in advance of the receipt of your detailed instructions by mail, and keep you advised of progress, without waiting for the imperial secretary's reply to this note.

I have, etc.,

A. A. SARGENT.

[Inclosure No. 111.]

Mr. Sargent to Count Hatzfeldt.

LEGATION OF THE UNITED STATES,
Berlin, February 23, 1883.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, had the honor, in his interview on the 17th instant with his excellency Count Hatzfeldt, imperial secretary of state for foreign affairs, to submit a telegram from the Hon. Secretary of State, Mr. Frelinghuysen, containing a request of the President of the United States, which telegraph was in the following words:

"The President invites Germany to send a commission of experts to the United States to examine the raising and packing of hogs and pork products for food. He asks that the final decision on prohibitory measures be suspended until such commission adequately report."

This proposition of the President of the United States was promptly conveyed to the Imperial Government through the only possible official channel, and was also widely published in the German newspapers, where it would unofficially reach the Bundesrath. The undersigned respectfully requests that he may be furnished with an official copy of the late ordinance of the Bundesrath in the matter, so that he may notify his Government of the exact terms of the response, or constructive refusal made to this request of the President upon a matter of very much importance to the United States, and deeply affecting the trade relations of the two countries.

As the undersigned is under the impression that this ordinance can only go into force by the express approval of the imperial executive, he most respectfully asks leave to again call the attention of his excellency, the imperial secretary, to the proposal of the President contained in the telegram above cited, and to repeat what he said in his interview with his excellency on the 17th instant, that the United States view with concern this ordinance, designed to destroy an important part of their export trade to Germany; that the United States have had the whole question of the soundness of American pork, the modes of rearing hogs and preparing the products for market, carefully and impartially examined, and are convinced by the report made to them, a copy of which is herewith inclosed, that the attacks upon this great article of product are unjust and prejudiced, and not in any degree warranted by the real facts in the case. This being so, the President confidently relies upon the result that would follow the examination by a German commission of the whole matter, and invites the imperial Government to constitute such an one, and await its report, before striking down an industry that not merely furnishes all the animal food to large classes in

Germany (a consideration more immediately addressing itself to the Imperial Government), but causing great loss to the people of the United States, whose capital is involved and labor employed in preparing pork products for market.

His excellency's courtesy will allow the undersigned to suggest that there is no emergency in this matter that can not await ordinary modes of dealing with questions of such moment. There is no apparent reason why this ordinance should be enforced this month, or year, more than last, or the next. There is no epidemic caused by German consumption of American pork; not even well authenticated instances of casual sickness. It has been stated by very high German scientific authority that the very rare cases of trichinosis found in Germany for years past have arisen from eating raw German or Hungarian pork, and that no case whatever is traceable to American pork, the mode of curing which makes it harmless.

Where the evidences of harm done are so shadowy, and are opposed by carefully grounded statements, and the interests involved are so great, the request of the President for investigation may commend itself to the Imperial Government as reasonable and statesmanlike, and consonant with the kindly relations existing between the two countries, a sense of which on the part of His Imperial and Royal Majesty has been recently conveyed to the undersigned by his serene highness, the imperial chancellor, on the occasion of the generous relief extended by the citizens of the United States to the sufferers of the Rhine Valley.

The undersigned is fully aware that the Imperial Government, animated by the sentiment expressed in the esteemed communications of his serene highness, would not desire that the American Government or people should rest under a sense of injustice from the execution of this measure. Yet such a consequence seems inevitable where all modes of honest investigation have been exhausted by the American Government with the result of apparently proving this product sound; where daily experience shows none of the assumed inconvenience to either German or American health, and where the Imperial Government is formally and courteously asked to look into the whole subject for itself before acting upon possibly interested advice, or in the absence of anything worthy the name of evidence.

The undersigned, therefore, again calls attention to this express request of the President of the United States, and respectfully asks for the sense of the Imperial Government thereupon, that investigation be had and that meanwhile this serious blow to American interests be suspended. Inasmuch as the United States are a large and growing consumer of German manufactures and the food they export to Germany is a principle article of exchange, the laws of trade must dictate their obtaining the goods they import elsewhere, if the equivalent which they furnish is refused. This would probably result even if the Congress did not meet the issue by legislation under the belief that another motive than the unsoundness of American pork products caused this exclusion. Such a belief, of course, could not obtain if fair investigation on the spot by German experts showed dangerous unsoundness to exist.

Expressing the hope that this many-sided question may be tested adequately, as its importance deserves, the undersigned avails, etc.

A. A. SARGENT.

No. 77.

Mr. Frelinghuysen to Mr. Sargent.

No. 88.] DEPARTMENT OF STATE,
Washington, February 21, 1883.

SIR: Your dispatch No. 96, of the 13th ultimo, giving a summary of a recent debate in the Reichstag concerning the proposed exclusion of American pork from the German market, has been read with interest. This Government can not but welcome as a hopeful sign any disposition to bring the subject to a parliamentary discussion on its true merits. My instruction to you of the 16th instant, No. 87, proposing a German investigation in the United States, will have shown the confidence that this Government feels in the soundness of the views it has heretofore expressed, and its belief that the interests of all demand a full and conclusive examination of the whole matter of pork exportation.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 78.

Mr. Vogeler to Mr. Davis.

No. 77.] UNITED STATES CONSULATE-GENERAL,
Frankfort-on-the-Main, March 3, 1883. (Received March 21.)

SIR: I have the honor to inclose herein my report on "The resolution of the German Bundesrath prohibiting the importation of American hog meat."

I am, etc.,

FERDINAND VOGELER,
Consul-General.

[Inclosure in No. 77.—Extract.]

THE RESOLUTION OF THE GERMAN BUNDESRATH PROHIBITING THE IMPORTATION OF AMERICAN HOG MEAT.

In my report on the tariff laws and customs regulations of Germany, dated January 25, 1882, I showed that the principal reason for the many devices resorted to by German customs officials to impose a higher rate of duty on certain articles than the law contemplated was not a direct purpose to discriminate against goods of American production or manufacture, because these devices affected importations from other countries as well as those from the United States, but that they proceeded rather from a desire to propitiate and minister to that protective spirit which, since the year 1879, was known to have come into favor with the leading spirits of the German Government.

When I now refer to the resolution adopted by the German Bundesrath on the 21st day of February, 1883, prohibiting the importation of American hog meat, a subject which I am aware has engaged the attention of the Department for several weeks, I do so merely to call the attention of the Department to a peculiar circumstance in the adoption of that resolution, tending to show that it was born of the same spirit, which for a long time confidently asserted that, in the eye of the German tariff laws and regulations, canned meats or peaches were "fine iron ware."

I shall endeavor to trace the resolution referred to to its real origin. It is clearly the policy of the German Government in these times of turbulent socialistic agitations to form around itself a phalanx of loyal and conservative elements, by means of legislation, which will convince them that the Government is appreciative of their wants and anxious to foster and enhance their material welfare. As in all other European countries, except Great Britain, the rural population of Germany is not only the most numerous, but also the most conservative element, and least inclined to adopt new political or social theories.

A paternal care exercised over the rural population, a proper ministration to their wants, therefore, must greatly strengthen the Government. Thus gradually a reliable majority in the Reichstag, the popular and most essential legislative factor of the Empire, may be created, which will support and carry out reformatory plans and assist in keeping in check the turbulent socialistic elements of the great cities.

Now, the competition of the American hog raiser and pork packer was severely felt by the rural producer of Germany. The imposition of a duty of 12 marks per 100 kilograms did not deter the American shipper. According to the present composition and temper of the Reichstag, however, it was impossible to obtain a majority for a law either prohibiting, on some specious ground, the importation of American pork, or so to increase the duty thereon as to make American competition impossible. But an expedient was soon found. The Bundesrath is not only one of the legislative factors of the German Imperial Government (and in that respect it somewhat resembles the Senate of the United States, while the Reichstag corresponds to the House of Representatives), but it also exercises executive authority and functions; in other words, its powers are not only legislative, but also supervisory, regulative, and executive. It is charged with the adoption and passage of suitable rules and regulations to carry into effect the laws of the Empire.

The Bundesrath consists of 58 members. These, in one view, represent the several sovereign States of the German Empire. They are not elected like the members of the Reichstag, but appointed by the several German Governments. Of the 58 members Prussia appoints 17, Bavaria 6, Saxony and Wurtemberg 4 each, Baden and Hesse 3 each, Mecklenberg-Schwerin and Brunswick 2 each, and all other principalities, including the three Hanse towns, Hamburg, Bremen, and Lubeck, 1 each. This body, so constituted and empowered, was requested by the imperial chancellor to en-

join, by virtue of its regulative power, the importation of American pork on the ground that it was affected by trichinæ, and therefore unwholesome.

Now, although this sweeping allegation was not supported by sufficient proof, and although numerous petitions and remonstrances against such a regulation were sent to the Government and to the Bundesrath from the manufacturing districts of Germany, where American pork and hams had become indispensable articles of nourishment, yet the Bundesrath unanimously passed the resolution referred to, the prohibition decreed to go into effect thirty days after its promulgation by the imperial chancellor.

It is likely that the point which readily suggests itself, viz, whether one branch of the Government can, upon an unproven assumption of facts, by a so-called "regulation" abrogate and annul a law duly enacted and in full force and effect will be raised in the Reichstag when that body convenes in May next; but I doubt that the discussion of the question will have any practical result whatever.

The public journals now announce that the decree of the Bundesrath will be published in a few days, and that the regulation therefore will go into effect early in April, 1883.

The unanimity of the decision reached by the Bundesrath, however, has surprised even the friends of the measure. It was confidently believed that not only the Hanse Towns, but also some other members of that body, would vote against a proposition of such doubtful justice and utility. Subsequent developments, however, have shown how that unanimity was reached, and at the same time how little the Bundesrath itself believed in the correctness of the allegation that the American pork was unwholesome.

To make this statement of mine clear it is only necessary to cite an article which appeared in the Cologne Gazette, a leading and influential journal of Germany, in its issue of the 26th of February, 1883, which article I attach to this report, and of which the following is a correct translation, viz:

"On February 21 the Bundesrath decreed that thirty days after the promulgation of a regulation to that effect by the imperial chancellor the importation of American hogs and hog meat shall be prohibited, this resolution having been adopted unanimously. It might create astonishment that the HanseTowns have also given in their consent. But it must be observed that they have only reluctantly said, '*Si omnes consentiunt, ego non dissentio.*' They have declared that they have been unable to convince themselves of the utility or necessity of this measure, and that they have given in their consent only because sanitary considerations alone were urged as a reason for the measure, and they were unwilling to take the responsibility of being alone indifferent to the health of the German people. But as wise merchants they have at least averted the worst consequence of their carrying trade, inasmuch as they have obtained permission to import American hog meat for re-exportation and to provision their own ships with American hog meat. That seamen may eat trichinous meat with impunity we had not hitherto heard of. Or do the Hanse Town men not believe in the danger of trichinæ and the seriousness of the arguments in favor of the measure?

"As to the sanitary consideration, the prohibition of American hog meat will undoubtedly prove very healthy for the purses of our estate owners, but very unhealthy for the poorer classes of our population.

"We will not to-day enter further into the subject, which to us is the most melancholy piece of our economical policy."

Comment on this article is unnecessary. It fitly characterizes the spirit of the measure referred to. I will only add in conclusion that the views expressed and implied in the article are shared by almost all those who have given the subject any attention.

FERDINAND VOGELER,
Consul-General.

No. 79.

Mr. Sargent to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Berlin, March 8, 1883.

Mr. Sargent telegraphs that he immediately presented the request of the President, and that while Bundesrath's action was adverse, he again protested strongly; asked an answer to the President's proposal, and suspension of action.

No. 80.

Mr. Sargent to Mr. Frelinghuysen.

[Telegram.]

LEGATION OF THE UNITED STATES,
Berlin, March 14, 1883.

Government declines to investigate or suspend order.

SARGENT.

No. 81.

Mr. Frelinghuysen to Mr. Sargent.

No. 98.] DEPARTMENT OF STATE,
Washington, March 14, 1883.

SIR: I inclose herewith for your information a copy of an interesting letter from Messrs. Armour & Co., of Chicago, concerning the exclusion of American pork from Germany.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

[Inclosure in No. 98.]

Armour & Co. to Mr. Logan.

CHICAGO, *March* 1, 1883. (Received March 8.)

DEAR SIR: The recent action of the German Government, in prohibiting the importation of American hog products, it seems to us, demands some effort towards checking a policy that must unquestionably result (if persisted in) in disaster to the farming interests of Illinois and the Northwest. We know that your familiarity with this subject renders it unnecessary for us to enlarge upon it for your information, but recognizing and acknowledging, with thanks, your former interest in this question, we now beg to ask your co-operation in the adoption of some measure calculated to bring about the speedy repeal of existing prohibitory decrees, or at least to render their adoption in other quarters less attractive than at present.

Knowing, as well as ourselves, that the sanitary pretexts of both the French and German Governments need no arguments, we feel that you will heartily support any wise retaliatory measure brought forward to counteract their disastrous legislation. And while aware that you are truly informed as to the magnitude of the interests thus attacked, we may state that, from our intimate relations with this most important Illinois industry, the time can not be far distant when our own and adjoining States will suffer to the extent of millions of dollars.

We refrain from inflicting upon you at length the reasons for this conviction, which to us present the feature of absolute certainty, because we feel that your own information is ample, and that you must, having already broadly considered the matter, fully agree with us.

We therefore confidentially request that you will make some effort, retaliatory in its character, the details of which you can much better suggest than ourselves, and will conclude by saying that while our own interests are necessarily involved, they are, as you know, secondary to those enormous interests which involve the welfare of the State to as great a degree, perhaps, as those of any other important industry.

The time, we suppose, being short for action during the present Congress, we, of course, leave the matter in your hands, hoping you may be able to do something either before or after the close of the present Congress, but as promptly as your numerous duties (and the importance of the subject) will permit.

Yours, truly,

ARMOUR & CO.

No. 82.

Mr. Frelinghuysen to Mr. Sargent.

No. 99.] DEPARTMENT OF STATE,
Washington, March 14, 1883.

SIR: Your No. 111, of the 24th ultimo, concerning the decree prohibiting the importation into Germany of the hog products of the United States, has been received.

The note addressed by you to Count Hatzfeldt, on the 23d ultimo, in relation to the President's invitation to the Imperial Government to send a commission of experts to the United States to examine into the operations of hog raising and packing here, based as it was on the brief telegraphic instruction sent to you, has, in the main, anticipated the instruction, No. 87, dated the 16th ultimo, and presented with considerable fidelity the considerations contained therein in support of the President's invitation.

It must, however, be observed that you have to some extent gone beyond the intention of the President in the concluding part of your note to Count von Hatzfeldt. You therein say:

> Inasmuch as the United States are a large and growing consumer of German manufactures, and the food it exports to Germany is a principal article of exchange, the laws of trade must dictate its obtaining the goods it imports elsewhere, if the equivalent it furnishes is refused. This would probably result, even if the Congress did not meet the issue by legislation, under the belief that another motive than the unsoundness of American pork products caused this exclusion. Such a belief, of course, could not obtain if fair investigation on the spot by German experts showed dangerous unsoundness to exist.

So far as your intimation touches the operation of the laws of international trade, it is unexceptionable. Those laws control themselves, and commerce must perforce work its own channels in the most natural directions; but when you go further, and indicate the possibility that this Government may resort to retaliation if its views be not assented to by Germany, you introduce an element which it was not intended to present.

The action taken by this Government was unusual, and necessarily presupposed that the direct proposal of the President to the Imperial Government would be entertained in the same frank spirit in which it was proffered; and, no doubt, it will yet receive a courteous reply, whether favorable or unfavorable.

It may be that His Majesty the Emperor may decline to send hither such a commission as has been proposed, through unwillingness, possibly, that the results of its labors should have a binding effect upon his Government, such as might naturally be supposed to follow from a commission created by imperial order. The German Government has an undoubted right to withhold its concurrence in the suggestion of the President, and the exercise of this right would give no occasion for offense. It is the duty of governments to be jealous of the health and careful of the interests of their citizens or subjects, and the President does not seek to support an appeal to the German sense of equity of any menace.

In this view of the matter, therefore, any intimation, such as is contained in your note to Count Von Hatzfeldt, that retaliation might ensue in the event of a refusal, was out of place.

If the Imperial Government declines to send the suggested commission to examine into the operations of hog raising and packing in the United States, it is more than probable that the President will cause

such an examination to be made in so thorough and impartial a manner as to satisfy that Government that the health of the German people will not be imperiled, but rather promoted by the importation of American pork. But it is, of course, impossible for the executive branch of this Government to anticipate what may be the action of the legislature of the United States, if the prohibitory measures contemplated by Germany should be adhered to.

Lest the statements in your note of February 23 might prove liable to misinterpretation, you are authorized to make the contents of this instruction known to Count Von Hatzfeldt by reading it to his excellency, and, should he desire it, by leaving with him a copy. In doing so you should state to him that this instruction is explanatory merely, and does not put on record a censure of your course.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 83.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 121.] LEGATION OF THE UNITED STATES,
Berlin, March 15, 1883. (Received March 27.)

SIR: Your instruction No. 87, of 16th February, was received March 10. On the 13th, the first subsequent opportunity, I called on Count Hatzfeldt, and, in obedience thereto, read it to him and left with him a copy. He said he had my last note on the subject, and that it had been submitted to the chancellor, who had written to the German minister at Washington on the matter. I asked him if I might understand that this communication to Washington was evidence of a purpose to convey through some other channel the answer to the President's proposal which I had submitted, to which he replied "Not at all." I then said: If the matter, then, was not foreclosed I would remind him that the ordinance was impending, and the United States Government had submitted a definite proposition for a commission, and that unless the Imperial Government is so clear in its conclusions that evidence could not change it, or unless it had other motives than the unsoundness of American pork for its prohibition, so that evidence was unimportant, it would appear that this proposition of the American Government should be accepted.

Count Hatzfeldt replied, that Herr Bojanowski, president of department No. 2 of foreign affairs, was fully in possession of the views of the chancellor on the matter, and requested me to have an interview with him. As the latter is an officer intrusted with all commercial duties and relations, and equal in station with the secretary, I consented to call upon him to learn the decision of Prince Bismarck, in case an appointment were made for me, Count Hatzfeldt stating that the copy of the instruction which I presented should be laid before the chancellor. I had no doubt, however, that the answer it would get from Herr Bojanowski would be unfavorable. * * *

To-day, at 2 o'clock, I called at the ministerium and had an interview with the president of department No. 2. He stated that instructions had been sent to Mr. Von Eisendecher about the matter. I asked if a

commission would be appointed to investigate the alleged unsoundness of American pork products, and he said "No." I asked him if the ordinance would be suspended until Mr. Von Eisendecher's response could be had, or until the latter had consulted with the Hon. Secretary of State, and he said "It will not." I said, "Very well, that answers my questions; and I will communicate the facts to my Government for such further action as it deems proper." * * * I deemed it indiscreet to ask the nature of Mr. Von Eisendecher's instructions, and if they contemplated investigation. I presume he will lay before you whatever his Government would wish known of its purposes. * * *

I have, &c.,

A. A. SARGENT.

No. 84.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 122.] LEGATION OF THE UNITED STATES,
Berlin, March 19, 1883. (Received April 4.)

SIR: I have the honor to inclose a copy of the decree of the Bundesrath excluding American pork products, as approved by the Emperor, March 6, with translation. It is a pure and simple exclusion, containing no reservation on its face, whatever may be in practice.

I also inclose an article and translation from the "Norddeutsche Allgemeine Zeitung" of the 14th March, showing the regulations which the chancellor proposes by which to enforce this ordinance. These are stringent and severe, and calculated to totally interrupt all trade in the prohibited products, whether the same come direct from America or through other countries. These regulations are the logical result of the ordinance, and are subject to no criticism that does not apply to the ordinance itself; though the chancellor is represented as justifying them on the ground that the American papers have said the ordinance would be evaded by indirect shipments. If the American papers have so said, which I have not observed, the enforcement of these regulations will defeat any such anticipations. It will be seen that considerable ingenuity is used to detect and exclude the obnoxious food.

This is sufficiently remarkable, considering the welcome the same regulations extend to Austro-Hungarian and Russian pork, which is said by scientific German authority to be the cause of all the (few) cases of trichinosis that have occurred in Germany for several years, from the habit of the people to eat it raw; the Russian pork, I am told by Germans, being the worst in the world.

I am able to say that there is as little apparent public opinion back of this prohibition as there is justification for it in the character of the excluded articles. * * * Physicians who ask, for obvious reasons, that their names be not mentioned, have assured me personally and by letter that there is no disease in Germany from American pork. The only case now known to exist among forty mllion people is said to be at Bremen, and that from eating raw German ham. According to these respectable authorities, if a child were to be poisoned at Philadelphia from sucking the paint from a German doll, legislation to prohibit all German toys would be a parallel measure, provided this case of trichinosis at Bremen could be really proved to arise from eating American pork.

Deputations of merchants have called on me, anxious to know if the measure was inevitable. One banker spoke of it as gross ingratitude to America, whose contributions for the Rhine sufferers, about 1,000,000 marks, are, he said, insignificant beside the amounts annually sent out from America to dependent relatives and others, for which no return is ever expected. He spoke of this as in his own knowledge, by means of his business. I presume the international money-order office would tell the same story. He also said the United States are the most important market of Germany, and the latter had it in its own hands whether they should be ignominiously hustled out of the German market. As illustrating the dependence of Germany upon American custom, I cite the following from the Berliner Tageblatt, the correctness of which I have not the means of verifying:

The prohibition of American pork products begins already to show a reaction. In Germany, for instance, there exist five large manufactories of dextrine, whose products are principally sent to America, and which are worked so advantageously that a larger number of similar establishments are to be erected. The duty on dextrine amounted hitherto to 4 marks. After the 1st July, however, it will be raised to 16 marks, thus rendering the exportation of the German article to America almost impossible, and checking home labor very sensibly.

* * * * * * *

I have, etc.,

A. A. SARGENT.

[Inclosure 1 in No. 122.—Translation.]

ORDINANCE CONCERNING THE PROHIBITION OF THE IMPORTATION OF PIGS, PORK, AND SAUSAGES OF AMERICAN ORIGIN OF MARCH 6, 1883.

We, William, by the grace of God, Emperor of Germany, King of Prussia, etc., decree in the name of the Empire, and with the consent of the Bundesrath, as follows:

SECTION 1. The importation of pigs, pork, including bacon, and all kinds of sausages of American origin, is prohibited until further notice.

SEC. 2. The imperial chancellor is empowered, by applying the necessary precautionary measures, to permit exceptions to be made in this prohibition.

SEC. 3. The ordinance of the 25th June, 1880, concerning the exclusion of American pork and sausages (Im. Law Gazette, p. 151) is abolished.

SEC. 4. The present ordinance goes into force after the expiration of the 30th day after its publication.

Given under our hand and the imperial seal.

Berlin, 6th March, 1883.

WILHELM.
VON BISMARCK.

[Inclosure 2 in No. 122.—Article from the Norddeutsche Allgemeine Zeitung of March 14, 1883.—Translation.]

On the order of to-day's appointed session of the Bundesrath stands the proposal concerning the prohibition of the importation of pigs, pork, and sausages of American origin.

After the Bundesrath has voted the decree for the prohibition of the import of pigs, pork, and sausages from America, it will be necessary in the interest of an efficient enforcement of the prohibition to extend the same not only to such products which are shipped directly to Germany from America, but to all products included in the prohibition of American origin. In a communication to the Bundesrath the chancellor makes no suggestions about carrying out the decree, and orders, for the prevention of its evasion, that the importation of such articles from other countries than America shall only be admissible in future when it is proved by official certificate that the articles are above suspicion, *i. e.*, not of American origin. If the prohibition is really to impart the sanitary protection aimed at by it, then, says the chancellor's communication, further, only the certificates of such officials must be recognized as are, on the one hand, in a position to testify to the truthfulness of their statements by their per-

sonal knowledge in the premises, and on the other hand, too, are responsible to the Empire or the Government of their country for the conscientiousness of their statements.

The certificates of German consuls will, accordingly, be of primary consideration, but as the interests of traffic would seem to forbid our confining ourselves to their certificates exclusively, it might be practicable to admit the certificates attested to by the proper police authorities at the place of origin as sufficient. But inasmuch as the German frontier officials may not always be able to tell whether the persons certifying are actually the proper police authorities, this fact would have to be attested to by the German consul of the district in question. Exceptions to this measure would only be admissible in the case of certificates of origin which come from Austria-Hungary, if issued and attested to according to the provision of the treaty with that Empire of 25th February, 1880, as in all other traffic between these frontier districts.

If the attest is not written in the German language, a certified German translation would have to be added by the importer on demand.

Besides this, the certificate of origin would have to be issued at least thirty days before the arrival of the goods at the German frontier, and to be kept by the German frontier officials to prevent a second use thereof. As specially regards the import of living pigs, the foreign police authorities would have to certify that the animals belonging to the shipper, who is to be specially named, are described singly and according to kind, size, age, sex, color, and other outward marks, are born and raised in Austria-Hungary (Belgium, etc.), and that they have been kept at and within the district of the authorities certifying for the last thirty days. In the case of sucking pigs (pigs of less than 10 kilos weight), as their importation from America might scarcely be attempted, a certificate describing the animals collectively and as to kind, as having been born in Austria-Hungary (Belgium, etc.), might suffice.

The matter is, however, much more difficult with regard to preparations of pork and sausages. A certificate issued by the authorities at the place of origin of the animals would be of little value, as it could not be proved by the articles in question that they really are made from the animal mentioned in the certificate of origin, and therefore a certificate from the police authorities at the place where they were made (except America), that the ware specially designated and described, if chopped, by signature, and packing; if in larger pieces, by a stamp which is to be placed upon them by the authorities at the place of origin, to the effect that the wares emanate from the butcher, etc., residing at and in the district of the certifying office, and are made from animals of English (Belgium, etc.), origin, would be necessary. Besides this, it might be practicable to demand a certificate to the effect that the manufacturer in question is not engaged in manufacturing wares from pigs, pork, or bacon of American origin, nor in the purchase or sale, directly or indirectly, in these articles of American origin. In justification of these suggestions, the communication refers to utterances in the American press that an evasion of this prohibition by repacking the American article in European (not German) ports is contemplated.

Finally, the chancellor requests a decision of the Bundesrath in the matter, with the remark that the officials intrusted with the execution of the decree at the frontier will be furnished with instructions before the time that the decree goes into force, thirty days after its proclamation.

No. 85.

Mr. Bailey to Mr. Davis.

No. 103.] UNITED STATES CONSULATE,
Hamburg, April 7, 1883. (Received April 25.)

SIR: I have the honor to transmit you herewith an article cut from the Hamburger Nachrichten of this date.

The figures are taken from the official report, and they are furnished for such information as they may contain.

I am, etc.,

J. M. BAILEY,
United States Consul.

[Inclosure in No. 103.—Extract from the Hamburger Nachrichten of April 7, 1883.—Translation.]

EXAMINATION OF PORK IN HAMBURG.

The Government veterinary surgeon has published an account of the examinations of American and European pork which have been made during the past five years. He states that 18,619 specimens of American pork were examined during that time by 48 inspectors. Of these, 175 were found to contain trichinæ. During the same period 60,527 specimens of European pork were examined, not one of which was found to contain trichinæ. It thus appears that 0.96 per cent. of the American specimens contained trichinæ, and 0.00 per cent. of the European. In the year 1881, 73,113 American, and 55,799 European specimens were examined by 60 inspectors. Of the former 695, *i. e.*, 9.95 per cent, were found to contain trichinæ, and of the latter 2, or 0.004 per cent. In the year 1880, 78,597 American, and 49,043 European specimens were examined by 108 inspectors; of the former 836, or 1.05 per cent., contained trichinæ, and of the latter, none at all. In the year 1879, 102,662 American, and 47,247 European specimens were examined by 91 inspectors; of the former, 1,290, or 1.16 per cent., were found to contain trichinæ, and of the latter, 3 or 0.006 per cent. In the year 1878, 49,513 American, and 28,173 European specimens were examined by 17 inspectors; of the former, 392, or 0.79 per cent., contained trichinæ, and of the latter, 3, or 0.01 per cent.

No. 86.

Mr. Frelinghuysen to Mr. Sargent.

[Confidential.]

No. 108.] DEPARTMENT OF STATE,
Washington, April 11, 1883.

SIR: Your dispatches Nos. 121 and 122, of the 15th and 19th ultimo, in relation to the ordinance and regulations of the German Imperial Government for the prohibition of American pork products have been received.

Until the text of the promulgated regulations for the execution of the prohibitory ordinance shall be received it may seem premature to consider the details of the question and express an opinion thereon. The general issue, however, is one which can not fail to demand the most careful attention of this Government, not only on its own merits, but also in its bearing upon Article V of the Treaty of Commerce and Navigation between the United States and Prussia, concluded May 1, 1828, and especially the concluding clause of the article, which reads as follows:

> Nor shall any prohibition be imposed on the importation or exportation of any article the produce or manufacture of the United States, or of Prussia, to or from the ports of the United States, or to or from the ports of Prussia, which shall not equally extend to all other nations.

The treaty question which may be thus involved is receiving attentive consideration, and may hereafter be the subject of a special instruction to you. Meanwhile I have to thank you for the information conveyed in your dispatches, and to remark that your suggestions will have due consideration.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 87.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 135.] LEGATION OF THE UNITED STATES,
Berlin, April 13, 1883. (Received May 2.)

SIR: I have the honor to state that on the 22d March, 1883, I received a letter from Mr. Emile Neignouret, president of the *Chambre Syndicale du Commerce des Saindoux et Salaisons d'Amerique*, Bordeaux, France, a copy of which is inclosed, informing me that the French papers were publishing a dispatch from Tilsit, Germany, stating that some cases of trichinosis existed in Tilsit, especially in the garrison, and that there were already thirteen deceased. He requested me to make inquiries on the subject, as the syndicate is doing its best to obtain the recall of the edict of prohibition of American meats in France, and had already serious promises from the French Government. They were, however, afraid the many advices from Germany like the above would raise difficulties and prevent their success. He expressed the opinion that if there were such trichinosis it came from eating home meats and not from American salted meat. If the facts could be ascertained and vouched for by me it would aid them to obtain free importation in France.

Immediately on receipt of this letter I wrote to United States Consular Agent Mr. Conrad Gaedeke, at Königsberg, the nearest consular officer to Tilsit, inclosing him a copy of it, and informed him that the question of the exclusion or admission of American pork products is now being agitated here and in France, and that he would much oblige me, and do the United States a service, if he would ascertain and inform me promptly if these cases of sickness referred to exist, and, if so, if the pork was of American or other production.

The same day I wrote to Mr. Neignouret, stating that I had ordered an investigation to be made into the alleged cases of trichinosis at Tilsit by the nearest American consul, and if there were such, if they originated from eating American pork. I told him further that I find that all cases of alleged trichinosis are ascribed to American pork, even where the proof is open to any one that they arise from eating raw native or Hungarian pork; that interested parties spread such stories, and frequently the stories are entirely false, there being no sickness; that high German scientific authority states that there is not now and has not been for years any case of trichinosis in Germany from eating American pork.

The United States consular agent at Königsberg acknowledged receipt of my letter, under date of March 27, and promised immediately to try to ascertain and inform me as soon as possible of all the facts in the matter.

I am now in possession of this report, under date of April 9, in which he informs me that fourteen cases of trichinosis have occurred at the garrison at Tilsit, being early in March, all very light and everybody now recovered. It is officially stated to him that the soldiers did not receive the infected meat in the *menage* of the *caserne*, and it is not possible to state where they got it, and not, therefore, whether it is of native or American production, but they probably got the pork from their relatives. * * *

I have to-day written to Mr. Neignouret, giving to him these facts, and calling his intention to the exaggeration or falsehood of the telegraphic account, in that no deaths had occurred; that the cases were

all slight, and everybody had recovered, and pointing out the certainty that, as the pork was probably furnished by relatives, it was the local raw article, which is the ascertained cause of all known cases of trichinosis where the trouble has been taken to trace the cause.

I have also written to Mr. Gaedeke, thanking him for his promptness and efficiency in the matter, and stating that I should take pleasure in mentioning it to the State Department.

This correspondence tells its own story, and remark may be unnecessary. In this case thirteen persons are announced as already dead from trichinosis, and the fatal disease still raging, and American pork—that "unutterable flesh"—is swiftly assigned as the cause. The disastrous news is spread over the continent to create prejudice against our productions and strengthen the hands of those who favor prohibition. When the Government officers, peculiarly informed, are questioned, it is found no deaths have occurred; that there were only some slight cases of sickness, and pregnant circumstances imply that American pork had nothing to with the cases of sickness that did exist.

* * * * * * *

While the German Government may properly decline to bind itself by the report of its own or any other commission for investigation into the truth or error of its own allegations that American pork products are dangerous to health, and into the soundness of the grounds which it has for striking a severe blow at our trade or manufactures, it may reasonably be expected to be * * * cautious how it lends itself to * * * statements againt the interests of a friendly nation. * * * When the chancellor sent his request for the prohibitive ordinance to the Bundesrath he accompanied it by a memorial in which he did not give reasons based on the bills of health of the Empire, but cited at large from a printed pamphlet in German, * * * which pamphlet was a compilation of certain New York newspaper articles published in 1881, which, while condemning the prohibitory policy of the French Government, laid blame upon the Western packers, who, these alleged, put up meats before they were properly cured, and dwelt upon the carelessness of freight handlers, Western inspection, etc. The pamphlet also contained the opinions of French and German exporters that the complaints of the French authorities were unfounded from a sanitary stand-point, and the faults of careless packing could be remedied on through transit meats by having them overhauled at New York prior to shipment. The appointment of a certain firm of New York packers * * * was recommended for the purpose. This pamphlet was denounced by Herr Richter, in the Reichstag, as compiled in the interests of the firm alluded to, and as utterly unworthy as authority for the proposed exclusion. Of course it does not come anywhere near proof of danger of trichinosis from American pork. Imperfect packing may cause rotten pork, which no one would buy or use, but not trichinæ; yet this unresponsive evidence stands as the basis of exclusion in this Empire to-day. Investigation might * * * [show] that the statements of the pamphlet in regard to packing are false, and that the supervision of the before-mentioned firm is unnecessary. Every barrel of pork that reaches Europe bears its special testimony, and the interests of trade insure fidelity of means. If any steps were taken to ascertain in what condition packed pork reached Germany the conclusions were not added to the assertions of the pamphlet in the chancellor's memorial, and the investigation carried on under orders of the State Department was not deemed worthy of notice.

* * * * * * *

One effect of this prohibition is now obvious. The masses here are accustomed to reverence government, and look to it peculiarly for guidance in matters which, in different communities, it could not influence. The Government has condemned American pork products as dangerous to health. Its action fosters alarm in that connection, and it will take years to recreate the confidence in these which has been impaired.

To avoid multiplying dispatches I will here state that on the 10th there was a discussion on the bill amending "trades law." In section 56*b* the Federal Council (Bundesrath) is authorized, in cases of necessity, to suspend for a certain period some of the provisions of section 56 and 56*a*, the same right being conferred upon the appropriate state authorities for the individual states of the Empire. This is not the law regulating imports, which contains a somewhat parallel provision, it being therein provided that the council may suspend any importation temporarily in case of emergency.

During the discussion Dr. Baumbach proposed an addition to this paragraph, making it obligatory upon the Federal Council to submit its decrees to the Reichstag for subsequent approval.

State Minister Scholz declared himself decidedly opposed to this proposal, expressing the view that it would be detrimental to the dignity of the Government to see its decrees annulled so soon after their promulgation. He said the motion of Dr. Baumbach would make the authority conferred upon the Federal Council so entirely illusory that the united governments would prefer to dispense with it altogether. The minister conceded that there existed in certain cases similar provisions, requiring subsequent parliamentary approval of decrees of the Federal Council, but past experience did not dispose him to advocate an extension of this principle. The proposed motion would confuse legal relations, and he must urgently request that it be rejected.

Deputies Heydemann, Maibauer, Dr. Réeand, and Dr. Bamberger spoke in advocacy of Dr. Baumbach's motion. The latter declared it to be of the greatest importance to oppose the principle set up by Minister Scholz. The proposed condition had the very practical purpose of compelling the united governments to consider duly, before issuing a provisional decree, whether it was in harmony with the law, and whether it would receive the approbation of Parliament. For instance, if the united governments had been compelled to submit to Parliament for subsequent approval the decree prohibiting the importation of American meat, he was convinced the decree would never have been issued at all. He therefore, that there might be no question of the principle, would recommend the adoption of Dr. Baumbach's motion.

Scholz, finance minister, felt called upon to protest energetically against the suggestion that the Government did not in every case maturely consider, before its issue, every provisional decree, and the necessity for subsequent approval could not make it more so.

After speeches by Dr. Hänel, Richter, and others, earnestly advocating the amendment, it was adopted by a small majority.

I have, &c.,

A. A. SARGENT.

[Inclosure 1 in No. 135.]

Mr. Neignouret to Mr. Sargent.

CHAMBRE SYNDICALE DU COMMERCE DES SAINDOUX ET SALAISONS D'AMERIQUE,
Bordeaux, March 22, 1883.

SIR: I now see in our French papers a dispatch, coming from Tilsit, and telling that some cases of trichinosis have occurred in this town, especially in the garrison, and that there were already thirteen deceased.

I shall be most obliged for your inquiries on the subject, as our syndicate is making the endeavor to obtain the recall of the edict of prohibition for American meats in France, and we have already received serious promises from our Government; but we are afraid that the many advices from Germany like the above will be a difficulty in the way, and perhaps an obstacle to our success.

Besides, if there is such trichinosis, my opinion is that the cases must come from home meats and not from the salted ones imported from America, and should the matter be investigated, your information and certificates on the subject would be of great assistance in our endeavors to obtain the free importation in France.

I rely on you to know exactly what is the matter, and with thanks remain, &c.,

EMILE NEIGNOURET,
The President of the Syndicate.

[Inclosure 2 in No. 135.]

Mr. Sargent to Mr. Conrad Gaedeke.

LEGATION OF THE UNITED STATES,
Berlin, March 24, 1883.

SIR: I inclose to you a copy of a letter from Mr. Emile Neignouret, which speaks of some cases of trichinosis from eating pork which have recently occurred at the fortress at Tilsit. The question of the exclusion or admission of American pork products is now being agitated here and in France; and you will much oblige me, and do the United States a service, if you will ascertain and inform me promptly if these cases of sickness referred to in the inclosed exist; and, if so, whether the pork was of American or other production.

Very respectfully,

A. A. SARGENT.

[Inclosure 3 in No. 135.]

Mr. Sargent to Mr. Neignouret.

LEGATION OF THE UNITED STATES,
Berlin, March 24, 1883.

SIR: I have ordered an investigation to be made by the nearest American consul into the alleged cases of trichinosis at Tilsit, referred to in your letter, and whether, if there are such, they originated or not from eating American pork. I find that all cases of alleged trichinosis are ascribed to American pork, even where the proof is open to any one that they arose from eating raw native or Hungarian pork. Interested parties spread such stories. Frequently these stories are wholly false, there being no sickness. High German scientific authority states that there are not now, and have not been for years, any cases of trichinosis in Germany from eating American pork.

I will promptly inform you of the result of my inquiries.

Respectfully,

A. A. SARGENT.

[Inclosure 4 in No. 135.]

Mr. Gaedeke to Mr. Sargent.

UNITED STATES CONSULAR AGENCY,
Königsberg, March 27, 1883.

SIR: I beg to acknowledge receipt of your communication of the 24th instant, with inclosure of a copy of a letter from Mr. Emile Neignouret. I will immediately try to ascertain, and inform you as soon as possible, of the cases of trichinosis at Tilsit, and whether the pork was of American or other production.

I have, &c.,

CONRAD GAEDEKE.

[Inclosure 5 in No. 135.—Extract.]

Mr. Gaedeke to Mr. Sargent.

UNITED STATES CONSULAR AGENCY,
Königsberg, April 9, 1883.

SIR: In pursuance of my communication of the 27th past, I have the honor to inform you that I have ascertained that fourteen cases of trichinosis have occurred at the garrison at Tilsit in the beginning of March, but that all these cases have been very light, and that everybody has already recovered.

It is officially stated that the soldiers have not received the infected pork in the *menage* of the *caserne*, but it has not been possible to state whence they got it, and it is, therefore, impossible to say whether this pork has been of inland or of American production, but it is most probable that the soldiers have received the product from their relatives. * * *

I have, etc.,

CONRAD GAEDEKE.

[Inclosure 6 in No. 135.—Extract.]

Mr. Sargent to Mr. Neignouret.

LEGATION OF THE UNITED STATES,
Berlin, April 10, 1883.

SIR: Referring to your letter of March 22, and mine of March 24, concerning the cases of trichinosis alleged to exist at Tilsit, I have the honor now to inform you that the United States consular agent at Königsberg, Mr. Conrade Gaedeke, a very reliable and intelligent gentleman, writes to me, under date of April 9, that he has observed my instructions and investigated the cases of trichinosis at the army quarters at Tilsit, and the causes thereof, and now states * * * that at the beginning of March there were fourteen very slight cases of trichinosis, from which every one suffering has now fully recovered. The soldiers did not receive the infected pork as rations, but ate it outside, probably receiving it from their relations, in which case it was undoubtedly native pork. As raw native pork is the ascertained cause of all trichinosis in Germany, when the cause has been traced, as I am informed by German medical authority, it is most certain to have been the cause in this instance.

I inclose a copy of Mr. Gaedeke's letter, by which you will observe also that the statement that deaths had occured was totally false, and have, etc.

A. A. SARGENT.

[Inclosure 7 in No. 135.]

Mr. Sargent to Mr. Gaedeke.

LEGATION OF THE UNITED STATES,
Berlin, April 10, 1883.

SIR: I thank you for the promptness with which you have complied with my request to investigate and report upon the cases of trichinosis at Tilsit. I have taken pleasure in informing the State Department of the promptness and efficiency you have shown in this matter.

Very respectfully, etc.,

A. A. SARGENT.

No. 88.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 137.] LEGATION OF THE UNITED STATES,
Berlin, April 13, 1883. (Received May 2.)

SIR: I have the honor to acknowledge the receipt of your instruction No. 99, of March 14. * * * I beg leave to submit a few considerations suggested to my mind by the instruction in question. * * *

The phrase used by me in my note of the 23d ultimo addressed to

Count Hatzfeldt, pointed out by the Department, was not inadvertent. I carefully weighed every word of that note, and desired to present every reason that could influence the German chancellor to avert the yet suspended blow of prohibition. Please observe that any allusion to action by the American Law-making power was not suggested to depend upon acceptance of the President's proposition, but upon the fact of prohibition, a measure replete with disaster to an enormous American agricultural and manufacturing interest. In the firm belief, then and now entertained, that phrase-making would not prevent or repeal such an unfriendly ordinance, and only the prospect of retaliatory legislation would, I distantly intimated that the United States, through its only law-making body, might possibly take notice of this prohibition. It certainly should be an element in the chancellor's estimate of the question that a nation of over 50,000,000 people, of resolute character and noble history, might adopt some form of legislative reprisals. In the absence of instructions, and in the face of an emergency, I advanced this suggestion instead of leaving him to infer or overlook it. Before my note to Count Hatzfeldt was written the American papers came containing some of my dispatches, in which I had strenuously urged that the only way in which the German Government could be influenced was by the fear of reprisals by legislation. These were republished from the American in the German newspapers; those papers which were our friends in the controversy saying the considerations advanced should be heeded by this Government. * * * As these publications necessarily were authorized by the Department, I then saw no error in saying directly, but courteously, to this Government what it was thus informed that I had officially said of it.

* * * * * * *

I have, etc.,

A. A. SARGENT.

No. 89.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 145.] LEGATION OF THE UNITED STATES,
Berlin, April 28, 1883. (Received May 16.)

SIR: I have the honor to report that No. 27 of Commercial Relations, January, 1883, contains a dispatch of mine, on page 1, upon the subject of the prohibition by Germany of our pork products, wherein the representations on the subject by various trade associations and the opposition press are stated, and the reasons why the prohibition is likely to be made, and what remedy the United States may have, and should use, to prevent such experiments against their interests, are stated.

As was necessary in such a dispatch, the truths, as they appeared to me, were clearly stated, that you might be perfectly familiar with the issue with which our Government had to deal so far as a close observation here, and a zealous wish to do my duty, could enable you to become.

In the dispatch was also a personal allusion, useful to give an idea of the state of feeling here in various circles. Such a dispatch, informing the State Department of necessary facts was, according to my view, entirely proper. The St. James Gazette recently said, referring to the

probability that the English home office was well informed in regard to an annexation:

> With what object do we keep up diplomatic establishments in every European capital, if the first hint of a design on the part of some rival power to seize an important territory is to come from a little group of colonial politicians?

So it might be asked, "With what object does the United States keep up diplomatic establishments in Europe if they must depend upon chance and tardy sources for information as to measures affecting their interests?" To send such information in such colorless form that if it were published the Government to which the minister is acredited could not find a shade of criticism or matter of exception, and yet the Department get from it a true picture of occurrences having inimical tendencies, and of which it should be expressly warned, would seem impossible.

* * * * * * *

I inclose with translation an article from the Norddeutsche Allgemeine Zeitung, * * * in which it is falsely alleged that the dispatch in question was a newspaper article published by me in a newspaper of New York over my signature, and distorting ingeniously the contents of the dispatch. It ascribes to me the words and arguments which I expressly said were copied from German papers; declares that I said the German Government is not at all a Government of public opinion, but is sure to do the exact opposite of what public opinion demands; whereas I said, "If this were strictly a Government of public opinion in *the American sense*, these general public appeals would prevail." It alleges that I said (three months before the ordinance was passed at all) that it was passed by a trick over the heads of the Reichstag, &c. By a comparison with the original you will see the malignity and falsehood of this travesty.

If I had so far forgotten my duty as to publish an article on a political subject in an American newspaper over my signature, I should feel only repaid even by such gross caricature of what it contained. The paper in question knew that I was innocent of any publication whatever, for a month before it had published the substance of it correctly, and said it was a dispatch to my Government, and berated the opposition papers for furnishing such argument against the measures of their own Government. To give plausibility to this attack it was necessary to ignore that, and to sufficiently fire the hearts of its readers it was necessary to grossly misrepresent the contents of the document.

The undoubted purpose of this publication was to work on the patriotic pride of the Germans by leading them to resent foreign complaint of the action of their Government, and make partisans for the maintenance of prohibition. The scheme was well planned, and undoubtedly works in the way foreseen.

* * * * * * *

I have, &c.,

A. A. SARGENT.

[Inclosure in No. 145.—Extract from the Norddeutsche Allgemeine Zeitung, April 24, 1883.—Translation.]

In the New Yorker Handels-Zeitung of March 10 last we find a publication which bears the signature of the minister of the United States at Berlin, and treats of the prohibition in Germany of American pork. The first half of this article endeavors to describe the "opposition" to the exclusion of American hog products manifested in Berlin and other cities, and refers in particular to articles of the National Zeitung, and the—in the mean time deceased—Tribune. A political criticism of the present form

of government in Germany is connected with the description of that opposition movement, the German Government being described as one not "in the slightest degree a Government of public opinion," but one which most probably always did the reverse of that demanded by the voice of public opinion as well as by the press on the basis "of logical deductions from indisputable facts."

The decree of prohibition is criticised as an illegal measure adopted over the head of the Reichstag, and characterized by a leader of the opposition in the Reichstag *to be the author of the article* as being an "unworthy trick."

It is possible that a German deputy has used such an expression to the representative of a foreign power. We know more than one whom we consider capable of such an act. On the other hand, it surprises us to find the signature of a minister accredited to His Majesty the Emperor under such declarations.

In the article it is further stated: "The Tribune, an influential organ of the party of progress, has convincingly shown the sanitary harmlessness of American pork products. It was solely in the interests of the larger land owners and meat producers of Germany that the prohibition which took 15,000 marks annually from the poor to give them to the rich was issued." At this point the style of the publication attains a pathos, to which we fear our quotation will not do justice; it is stated word for word:

"But woe to the poor who pay to him (the rich) the 15,000 marks; woe to the hungry who imagine that it is a duty of the Government not to allow the price of food to become too high."

The National Zeitung had also furnished a similar argument that could not be refuted in favor of American interests; that journal had in particular asserted that last year's good harvest had afforded such rich profits to German land owners, that their interests did not require this exclusion of American pork from German markets. Here too, therefore, the unveiled insinuation is uttered that the Imperial Government had adopted those measures solely for the purpose of favoring a single class, while the existence of weighty, sanitary police motives for the prohibition is not conceded or mentioned with a single word.

In the last part of the publication the damage to American interests to result from the decree of prohibition is referred to, and reprisals are threatened, leaving out of consideration the fact that North America for whole decades has shut itself off from the products of European industry by the highest protective and prohibitive duties, without our ever having thought of demanding of America consideration for injured German and disregard of American interests.

The publication closes with the declaration that America "can not submit to the exclusion of her products under false pretenses."

The article, therefore, anticipates the employment of international pressure to force the American trichinæ upon the German consumer, after the latter has borne the burden of inconsiderable taxation in order to be protected against the domestic trichinæ. This view is not without analogy to that which was at the bottom of the Chinese opium war. What would the public and the press say in England if a German publication, similar to that contained in the columns of the New Yorker Handels Zeitung, had attacked the prohibition of the importation of German cattle into England with such arguments, and if under such publication the name of the German ambassador accredited to the Queen of England had stood? Assuredly such international warfare would not have found in the English press organs to advocate the interests of a foreign land at the expense of domestic policy.

No. 90.

Mr. Von Eisendecher to Mr. Frelinghuysen.

IMPERIAL GERMAN LEGATION,
Washington, May 2, 1883. (Received May 4.)

SIR: I have received from my Government copy of a note addressed by Mr. Sargent to Count Hatzfeldt, under the date of February 23, of this year, for the purpose of preventing the ultimate proclamation of the prohibited measures resolved upon by the confederate Governments, against the importation into Germany of American bacon, hams, and pork.

Under instructions from the chancellor of the Empire, I have the honor to communicate to you the following reply to the note in question:

The prohibition resorted to by Germany is a measure of internal German legislature, found necessary after careful investigations on sanitary grounds and closely connected with the internal institutions of the country.

Germany has always carefully avoided all interference in regard to measures which other Governments, and especially the Government of the United States, think just to adopt in the interest of their country.

This principle of non-interference has been preserved by Germany also in relation to the high and often prohibitive duties imposed upon German industries in the United States in consequence of their adopted financial system. Germany has never even ventured the slightest remarks in this respect tending to suggest an eventual friendly consideration of German interests in the framing of American internal laws and measures. In the prohibition referred to above, however, higher interests of the nation are at stake than tariff laws, that is the protection of the people against a danger to health. Now, as Germany by its strict and rigorously enforced legislation affords the same protection to its people at home against all danger from German cattle and hogs, it can not possibly treat the foreign producers better than its own.

An investigation of the American methods of raising hogs and preparing hog products by a commission of German experts in the United States could not effect a material change in this respect.

Germany taking fully into account the very considerable importation of German cattle into England, would nevertheless not feel at liberty to request the British Government to inquire into the necessity of the restrictions imposed upon the importation of German cattle into England by a commission traveling over Germany. The measures adopted in England against the importation of German cattle are also based upon sanitary but much less important reasons than those existing in Germany in regard to American pork. Even the most favorable report rendered by such traveling members of a commission about the health of German cattle and the methods adopted in Germany for its preservation would not constitute a sufficient motive for the British legislature to recall their sanitary precautionary measures.

Austria-Hungary, also, to whose cattle the German frontier has been closed upon sanitary grounds for a number of years, has not considered the suggestion of an inquiry by German officials within its possessions as a likely means to have that prohibition removed or made less rigorous.

These extensive and long established prohibitive measures against Austria-Hungary, a country bound to Germany by the closest political and commercial ties, may at the same time be mentioned as a proof that taking for granted an impartial and unbiased consideration of the question, such measures which due regard for the health of the people compels the Government to adopt need in no way interfere with our friendly relations existing with Austria, England, and America.

Expressing the hope, in the name of my Government, that the foregoing remarks may receive at your hands the appreciation warranted by the happy and friendly relations of both nations and their Governments, I avail, etc.

VON EISENDECHER.

No. 91.

Mr. Frelinghuysen to Mr. Sargent.

[Extract.]

No. 116.] DEPARTMENT OF STATE,
Washington, May 4, 1883.

SIR: Your action, as reported in your dispatch No. 135, of the 13th ultimo, in causing an investigation of alleged cases of trichinosis at Tilsit, is heartily approved by the Department. It is desirable that every well-authenticated report of an outbreak of trichinosis in Germany which may come to your ears should be inquired into on the spot, with an honest and evident purpose to arrive at the exact facts so far as may be possible.

* * * * * * *

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 92.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 146.] LEGATION OF THE UNITED STATES,
Berlin, May 4, 1883. (Received May 21, 1883.)

SIR: I have the honor, referring to my No. 145, of 30th April, to state that the Norddeutsche Allgemeine Zeitung has, since I sent said dispatch, viz, in its issue of the 1st May, partially atoned for the inhospitable attack upon the representative of a foreign Government, and its gross misrepresentations of his utterances, by publishing the whole of my dispatch of January 1, accompanying it with the remarks that it had no wish to be inhospitable to an accredited representative to His Majesty of a friendly foreign country, but still affecting to believe that my name to the document was a forgery or unexplained. It is somewhat comically contradicted in this by the introductory remark of the New Yorker Handels-Zeitung which it copies, and which precedes the dispatch in its columns. This apology is as much as may well be expected, * * * and perhaps much more, and I presume the incident is terminated.

Meanwhile the German and continental press has been somewhat busy over the matter. The semi-official German press has become very moderate or been silent.

* * * * * * *

The London Times correspondent of the 1st instant says:

Imitating the action of the German Federal Council the Greek Government has, from sanitary considerations, forbidden the importation of all sorts of American pig flesh. It may be mentioned that Prince Bismarck's organ, the North German Gazette, publishes to-day the text of the dispatch which Mr. Sargent, the American minister here, addressed to his Government on the subject of the interdict, and on an incorrect rendering of which this organ founded its late personal attack on the accredited representative of the United States, an attack which any member of the diplomatic corps would have been justly entitled to regard as a clear infringement of his rights and privileges. The

publication of the full dispatch in question, though prefaced by a weak and transparent attempt to excuse the previous attack, must therefore be regarded as an humble, but inadequate aplogy to the American minister, seeing that the North German Gazette thus convicts itself of having grossly misrepresented his excellency's meaning and imputed to him words which he never used.

The North American Times, published in London, says:

The United States minister at Berlin has been attacked by the Norddeutsche Zeitung for sending to a New York paper his official report on the prohibition of the import of American pork into Germany. How does the journal know that the minister sent the article in the New York paper? And how can it complain of Mr. Sargent sending a dispatch to his Government on a matter concerning American commerce? It is the duty of the minister to write such dispatch, to express an opinion on the matter, to quote other opinions both for and against—in a word, to give his Government all the information he could glean. The point of attack is that the North German Gazette is under the inspiration of Prince Bismarck, and the exclusion has been exciting a strong feeling on the other side.

The same paper, referring to a former dispatch in the London Times, says:

The Times tells us that the minister's comments thus published in a New York trade journal have caused no slight displeasure in high quarters in Berlin. But we can tell those who feel this displeasure that their action had aroused no slight displeasure among the sovereign people of America; not that the exclusion is a matter of moment just now, but that it indicates an inclination to exclude American products generally. It is true, as the Times remarks, "that the measure was less of a sanitary than of a prohibitive nature."

The American Register, published in Paris, has the following:

The North German Gazette, the official organ of Prince Bismarck, criticises an article in the New Yorker Handels-Zeitung, respecting the prohibition to import of American pork into Germany. The article in question spoke of reprisals, and was signed by the American minister at Berlin. The North German Gazette expresses surprise at seeing the signature of the American minister to the article in question, and adds, "that when the article in question speaks of reprisals in order to force American trichinæ upon German consumers, it was an argument not unlike that which formed the ground of the Chinese opium war."

The commercial policy of Prince Bismarck is a protective policy, and so far it resembles that of the United States. Now the protective system is essentially one of strict reciprocity, and it was only the other day that the German minister of commerce threatened Spain with reprisals; there is therefore no reason why the minister should be so horrified at the system which he applies to others being applied to himself. Of course, Germany does quite right to exclude American pork when it is infected by trichinæ, but what Americans object to is the assumption that American pork is infected with trichinæ after it has been shown that, owing to the length of the voyage from America to Europe, the parasite can not survive in the dead animal, and that, therefore, trichinæ in American pork are an impossibility. It is very curious that, while the North German Gazette denounces American pork, the French papers denounce that of Germany on similar grounds. Perhaps German trichinæ require to be protected, and, if so, the solicitude of the North German Gazette for their welfare is comprehensible.

* * * * * * *

I have, &c.

A. A. SARGENT.

[Inclosure in No. 146.—Extract from the Norddeutsche Allgemeine Zeitung, May 1, 1883.—Translation.]

The Börsen Courier brings an alleged conversation with the American minister, Mr. Sargent, with reference to our article of April 24.

We can make no better answer to the statements it contains than by simply furnishing a copy of the article which appeared in the New Yorker Handels-Zeitung over the full signature of the minister. We must leave it to the organs which have relations with the minister to enlighten the public more effectually than has heretofore been done as to how this article could have been reprinted in the New Yorker Handels-Zeitung with the minister's name and official title without a protest or correction, official or otherwise, having hitherto been made with regard to this abuse--for as such

we must now regard it—of the name of the minister. We, in our turn, protest against the heading selected by the Börsen Courier for its article: "The American minister and the Norddeutsche Allgemeine Zeitung." We shall never permit ourselves to so far violate hospitality and international courtesy as to attack or criticise the official acts of a minister of a friendly state accredited to His Majesty the Emperor. We have to deal only with the article of the New Yorker Handels-Zeitung, offensive to the German Empire, and we should be glad to learn that the signature to that article is based upon some error.

The article is as follows:

"The report sent to our Secretary of State dated January 1 last of United States Minister Aaron Sargent, at Berlin, in the matter of the prohibition of the importation into Germany of American pork, of which we communicated an extract in the last number of this sheet, reads as follows:"

[Here follows a translation of the text of the minister's dispatch.]

No. 93.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 147.] LEGATION OF THE UNITED STATES,
Berlin, May 5, 1883. (Received May 21.)

SIR: I have the honor to report that in obedience to your telegraphic instruction to execute the instruction 99, I had an interview on yesterday with Count Hatzfeldt, it being the first opportunity therefor, and read the same to him, stating that I was happy to present the views of my Government upon the note which I had heretofore addressed to him asking a suspension of the prohibitory ordinance until an examination in the soundness of American pork could be made by a commission of German experts, and, at his request, I left him a copy of your said No. 99.

Count Hatzfeldt replied that he was glad to have a formal communication from the State Department showing that the note had exceeded the views of the American Government in some particulars, viz, its discussion of the internal affairs of the German Government, and the menace that the American Government might resort to retaliatory measures, although he had already been informed of that fact from Washington. He also said he would lay the matter before the chancellor, who would no doubt be much pleased, and all the more as the relations between the two Governments had always been so satisfactory.

Considering my duty expressly limited by your instruction, I refrained from discussion, and did not say what seemed to me true, and on again reading my note still seems to me to be so—that I have not discussed in it the internal affairs of the German Empire except so far as its acts directly affected America, and that your No. 99 then presented contained no correction on my views in that regard.

* * * * * * *

I have, etc.,

A. A. SARGENT.

No. 94.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 155.] LEGATION OF THE UNITED STATES,
Berlin, May 19, 1883. (Received June 5.)

SIR: The fierce heat of discussion that has followed the publication of my report of January 1 on the prohibition of American pork, or, rather, since the attack upon the same by the North German Gazette, especially the severe comments upon that paper and on the imperial administration by the American press, have compelled the same paper to finally attempt a justification of the prohibitory ordinance by showing that clear sanitary reasons exist therefor. I send this article to you inclosed with translation, that you may have both sides of the case, and the best that can be * * * said for the ordinance * * * I will remark that its statements of German facts are contradicted by the representations of the members of the Reichstag who opposed the measure. Thus, Herr Richter said that proofs are accessible that the cases of trichinosis observed in Germany arise from the use of German chopped meat. Dr. Barth refuted the statement from statistics, which are now marshaled in the North German Gazette, and which were then presented by Dr. Kohler, and declared the American meat to have been demonstrated as comparatively sound. Deputy Ahlhorn stated in the same debate that he had collected many reports and made many investigations, but not a single case had been authenticated whose sickness had been caused by using American lard or bacon.

You will observe that the Tilsit cases are referred to in this article to strengthen the argument, although, as it must be * * * known that I had investigated that matter, and knew that the amount of disease was greatly exaggerated, and that the pork used was undoubtedly the domestic article, this case is passed lightly over as a newspaper statement. * * * The great fact remains that the bills of health show no particular inconvenience from the consumption of this article of food in Germany or elsewhere. The article admits that such inconvenience does not arise elsewhere, and would not exist in Germany did not the consumers here like the flavor of raw pork. There may be something in the argument that the customs of a country should be considered by its rulers, and if the people here will eat raw pork and so get disease, diseased pork that would be made sound by cooking must be kept out of the country. * * *

The falling off of importations of American pork being so great as represented, it is claimed that the alleged evil should soon cure itself, and it is not worth while to disturb the tranquility of two continents by prohibiting an importation that has decreased by eight-ninths in a single year. The argument is not ingenuous. A partial prohibition, covering all our chopped meats and sausages, was in operation in 1882, and the threatened prohibition of all pork products, which has been since pending, contributed, with less production in the United States, to decrease the amount sent here.

* * * * * * *

I have, etc.,

A. A. SARGENT.

[Inclosure in No. 155.—Extract from the Norddeutsch Allgemeine Zeitung, May 16, 1883.—Translation.]

In view of the lively discussion caused by the publication of the report of the American minister at Berlin concerning the prohibition of the importation of American pork, it seems appropriate to call attention to the sanitary grounds upon which alone the issue of that prohibition was based.

On the American side it is asserted with emphasis that the frequent occurrence of trichinæ in American pork is a fable, such pork being really much more healthy than the German. This assertion is entirely unfounded. Apart from the circumstance that uniform measures for the suppression of contagious diseases of animals are utterly wanting in the United States, the official investigations, even as to the extent of the danger, and especially as to the occurrence of trichinæ, are not commensurate with the requirements that must, in the interest of thoroughness, be insisted on in compiling statistics. The pamphlet of Mr. Scanlan, "American Pork," often cited by the opponents of prohibition, touches trichinosis quite superficially only, confining itself essentially to general unauthenticated statements of individual pork-packers and by hog-raisers, that is to say, of persons interested in an unobstructed sale.

Under these circumstances we must consult supplementary investigations in Germany and other countries of Europe, and the statements of American experts (veterinary and medical persons).

Let it be remarked in advance that the microscopic examination of hogs raised in Germany has yielded the following results: Of 12,816,931 hogs examined in Prussia during the period from 1876 to 1880, 6,945, or 0.054 per cent., contained trichinæ; of 29,832 examined at Dresden, in 1878, and of 41,500 examined at the same place, in 1881, 11 and 7, or 0.036 and 0.017 per cent., respectively, were thus affected; and of 444,832 hogs examined in the duchy of Brunswick during an extended period, 74, or 0.017 per cent., contained trichinæ.

How, on the other hand, does American pork stand in this respect? The health commissioner of the city of Chicago, Dr. Dewolff, found that from 3 to 5 per cent. of the hogs examined by him contained tricihnæ. The health officer of Erie, Pa., Germer, places on the basis of an experience of long years the percentage of hogs containing trichinæ at something less than eight in a hundred. Billings, of Boston, a veterinary surgeon, educated in Germany, has particularly occupied himself closely with the subject, and, pursuant to his latest communications in No. 222 and in later numbers of the New York Medical Journal of March last, there were in 1879, among 2,701 hogs, 154, or 5.7 per cent., and in the years 1879, 1880, and 1881, among 8,774 hogs, 345, or about 4 per cent., which were found to contain trichinæ. The results of investigations in Europe are entirely in accord herewith; at Turin, Volanti found 4 per cent.; French experts found 3 per cent. to contain trichinæ. In Germany the average of imported American pork is 4 per cent.; a lot of living hogs imported thence into Germany, in 1880, yielded even 15.9 (in Dresden) and 23.3 per cent. (in Magdeburg) containing trichinæ. It is therefore evident that the danger of trichinosis from indulgence in American pork, including the sides of fat, which always contain layers of meat, is absolutely, as well as in comparison with our German product, extremely great; it is more than sixty times as great as in the case of German pork.

Examinations at the places of importation have not proven to be an efficacious means of control, the mscroscopic examination being less reliably performed at those places in consequence of the great quantities to be inspected in a short time. It thus repeatedly occurred that meat certified to at a port of entry as being free from trichinæ was, upon a subsequent examination in the interior, found to contain trichinæ.

The objection has been raised that the number of cases of disease actually arising from indulgence in American pork is not in harmony with the above. To meet this objection it must be stated that in ports of entry epidemic trichinosis has repeatedly been proven to have been caused by indulgence in such meat (as, for instance, in Bremen, Rostock, Dusseldorf, and, according to recent newspaper notices, at Tilsit), but that apart from these instances it has, in many cases, been found quite impossible to ascertain the source of meat that had occasioned disease, the fact having been established *that a very considerable part of the pork from America is sent to Germany but slightly cured (brined), and is then worked up here and adapted to German taste, and finally put on the market as Westphalian hams, Gotha or Brunswick cervelat, sausages, etc.* The American method of preparation does not suit German taste. Diseases arising from trichinæ wares thus imported, or naturalized in Germany, are, as a matter of course, charged to the account of our domestic hogs.

It is also an entirely unfounded assertion, in conflict with the results of close scientific examination, that trichinæ are destroyed by the customary salting and smoking of pork. There is but one reliable way of attaining this end—to cook the meat thoroughly, trichinæ not being able to withstand boiling heat. In point of fact, in most of the other states of Europe pork is eaten only when thus cooked, and that is why there is much less complaint about trichinæ elsewhere than with us; for the German consumer prefers a product the natural good flavor of which is not impaired by high

seasoning. But as our Government must, in the measures it takes, reckon with the habits of our people, it was a simple duty, on its part, to ward off, by a decree of prohibition, so serious a danger, and one against which the poorer portion of the consuming public, in particular, could not in the least protect itself.

In conclusion, a word about the economic importance of the importation. The amount of meat (fresh and prepared, article 25, g. 1 of the tariff) imported into Germany in 1881 was 190,090 double cwt.; deducting the amount of the export, 56,283 double cwt., there remains 133,807 double cwt. meat (game, beef, veal, pork, sides, etc.); of this about three-quarters, or 100,355 double cwt., consist of pork and sides. The entire consumption of pork, including sides from domestic hogs and from importations (in particular from Russia and Austria-Hungary) of pork and living hogs, amounted, on the other hand, in 1881, according to the most exact calculation possible, to 4,106,483 double cwt.; hence the importation from abroad of pork covers only $2\frac{2}{5}$ per cent. of the entire amount consumed. But even this comparatively small amount of 100,355 double cwt. decreased, in the year 1882, to the ninth part; that is to say, to 11,444 double cwt., although no decree of prohibition had as yet been issued, and the apprehension of such decree should rather have stimulated importation. Thus the best testimony is afforded of the slight importance of the matter from an economic stand-point.

No. 95.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 157.] LEGATION OF THE UNITED STATES,
Berlin, May 21, 1883. (Received June 5.)

SIR: Wishing to keep you informed of all facts bearing upon the controversy in regard to the exclusion of American pork products, whether the same be of greater or less importance, I have the honor to state that * * * the North German Gazette, published on yesterday, but without comments, another of my dispatches on the above-named subject, crediting it to the "Reports of Consuls of the United States." It is to be found on page 39 of the January number of that publication.

So far as I have observed no comment has so far appeared in any German newspaper upon the strenuous articles in the American press which have followed the North German Gazette's attack on the American minister.

I have, etc.,

A. A. SARGENT.

No. 96.

Mr. Davis to Mr. Sargent.

[Extract.]

No. 119.] DEPARTMENT OF STATE,
Washington, May 23, 1883.

SIR: Your No. 145 of the 28th ultimo has been received. The Department appreciates the embarrassment to which you have been subjected by the misrepresentation in the Norddeutsche Allgemeine Zeitung of your published report of January 1, on the subject of the impending prohibition of American pork imports in Germany.

It is quite evident that the embarrassments to which you advert were not due to the fact of an official publication of your report by the De-

partment, but to what appears to have been a willful perversion of that fact by an unfriendly journal, which, if later telegraphic reports are to be credited, has been brought to admit the groundlessness of its main allegation, that you had corresponded on the subject with an American journal, and to admit that the obnoxious views it had attributed to you were in reality the views of the German press quoted by you.

The Department gives to the consideration and preparation for publication of the dispatches of its agents abroad every attention, with the object of guarding against the publication of their personal views which might, if known, expose them to criticism or censure in the land of their official residence. On an examination of the blue books of other Governments, it is believed that far more care is here exercised in this respect than in other countries. It is, of course, impossible to prevent malicious or honestly mistaken perversions of such publications by outside parties.

* * * * * * *

I am, etc.,

JOHN DAVIS,
Acting Secretary.

No. 97.

Mr. Frelinghuysen to Mr. Sargent.

[Extract.]

No. 141.] DEPARTMENT OF STATE,
Washington, July 25, 1883.

SIR: I inclose herewith for your information a copy of a note addressed to this Department by Mr. Von Eisendecher, dated May 2,* in which he communicates by instruction of his Government, the reply to your note to Count Hatzfeldt of February 23 last. Previous instructions from this Department, No. 88, of February 21, 1883, and No. 108, of April 11 last have already put you in possession of the views of the President on this subject. A perusal of Mr. Von Eisendecher's note will immediately suggest to one so familiar as yourself with this particular question, as well as with the distinction between general and discriminating internal measures, certain points wherein it is open to valid answer.

It will be observed that the note contains in substance, although not in terms, a rejection of the President's proposal that a commission of German experts be appointed to examine into the raising and packing of hogs and hog products for food, because Germany by its laws affords its people protection against danger from German cattle and hogs, and can not treat the foreign producers better than its own, and therefore an investigation of the American methods of hog raising and preparation would not affect a material change. With the sanitary legislation of Germany thus alluded to this Department is not familiar, but it might well have occurred that a careful investigation of the processes in the United States would have shown that strict legislation of this character is unnecessary here, because of the different situation of the two countries, and the different methods followed in the United States by reason

* See *ante*.

of their large area of thinly settled land, the cheapness of corn and grain, and other incidents peculiar to the occupation of hog or cattle raising in a large and sparsely populated country.

The appointment of the commission suggested would at least have prejudiced nothing, and might have resulted in removing the fears of the Government of His Majesty, and thus aided in securing the revocation of a decree which seriously impaired an important trade between the two countries.

The parallel sought to be drawn between the protective tariff system of the United States and this prohibition of the importation of American pork and pork products does not seem to be well founded. Our tariff is a measure of general application; it applies to German exports to the United States no more and no less than to French, Austrian, or English exports; it is distinctly an internal measure of general and universal application, and as such no more open to objection than any other well considered and fair system of taxation or custom tolls. Were our tariff to prohibit the importation of certain articles because they come from Germany, permitting the importation of the same articles coming from other countries, or were it to impose a higher duty upon German exports as such than upon the same exports from other countries, then the parallel to the decree now alluded to would become apparent. Nowhere in the tariff, however, is such a discrimination found.

The objection to the decree is not that it excludes unhealthy or diseased pork or pork products, for such a decree would be a praiseworthy sanitary measure, but that it excludes American pork, healthy or unhealthy, good or bad; the test is not the condition of the food but the place it comes from. In certain exceptional cases even discrimination in this form would be unobjectionable, as during the prevalence of an epidemic. On this principle, all vessels coming from certain infected ports are quarantined regardless of the actual health of the passengers and crew, but such measures are at the most only temporary, and should be based upon good cause; whereas in the present case there is nothing to show the decree to be of temporary application, and this Government has offered to that of Germany an opportunity to examine into the facts for the purpose of discovering whether the alleged cause actually exists, which offer has not been accepted.

The fact that certain exceptional legislation in Germany as to Austro-Hungarian cattle has not met with objection from that Government may arise from the geographical situation of the countries requiring peculiar and strict regulations not so properly applicable to the products of a nation over 3,000 miles distant, and which can only reach Germany by well-known channels through ascertained ports, where they may be easily examined and inspected. * * *

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 98.

Mr. Von Eisendecher to Mr. Frelinghuysen.

IMPERIAL GERMAN LEGATION,
Washington, July 27, 1883. (Received August 1, 1883.)

ESTEEMED Mr. SECRETARY OF STATE: The United States minister at Berlin some time since communicated to the secretary of state for

foreign affairs the instruction sent to him by his Government under date of March 14, 1883, relative to the German prohibition of the importation of American hogs, &c.

In connection with this communication, for which the chancellor of the Empire feels grateful to your Government, the Imperial Government desires, referring to the previously received note of the United States minister, again to explain its own position in this question.

The aforesaid note of Mr. Sargent made an unpleasant impression in Berlin, both because of its interference in the domestic affairs of Germany, and of its tone, which was not in harmony with the friendly relations existing between the two Governments. The German Government is consequently much gratified to find that the Government of the United States does not adopt the position taken by its representative in his aforesaid note.

In issuing the prohibitive decree in question the object had in view was simply the adoption of a sanitary measure. The only design of Germany was to protect her own population from disease, and there is less reason to suppose that there was any intention to pursue a course calculated to influence the relations existing between Germany and America, inasmuch as similar prohibitions of the importation of American pork have long existed in other countries, viz, in France, Italy, Austria-Hungary, and Greece, which circumstance has occasioned no similar proceedings on the part of the American representative at Paris, Rome, Vienna, or Athens.

This difference of action causes the more surprise at Berlin, since in Germany only does this complaint made by America furnish ground to the political opponents of the Government on which to base their denunciations of its course.

The trade in hogs and their products is subjected to the most rigid control in the interior of Germany. Not only does the sale of pork containing trichinæ subject the seller to severe penalties, but even the manufacture (through negligence) of pork products that may endanger the health of the consumer.

There are, moreover, in the various districts of Germany police regulations providing that all pork shall be examined, and that all hogs before being slaughtered (even by private parties) shall be subjected to a microscopic examination. Butchers are, furthermore, obliged to slaughter their hogs in slaughter-houses which are under police inspection. The prohibition of the importation of these products of the American market was therefore indispensable to the observance of strict impartiality toward citizens of the German Empire and foreigners.

With regard to the proposition to allow the American slaughter-house arrangements, etc., to be examined by a commission of German experts, the imperial Government gladly recognizes the good intentions thereby manifested; it is unable, however, to reach the conviction that such an examination would secure the desired result, since, although the imperial Government does not doubt that precautionary measures are adopted in many such establishments in America, or that the products in question are prepared with care and under proper inspection, it nevertheless thinks that it is impossible to secure and maintain uniformity among all such establishments in the United States, and a German commission will never be able to become convinced, even from the most complete arrangements of exporting houses, that the latter are able to furnish a constant guarantee of safety from trichinæ. The sending of such a commission would doubtless reveal the best intentions and the most perfect order in the establishments visited by it, but also the impossi-

bility of preventing the exportation of trichinous pork even when every conceivable precaution is taken.

It may be remarked in conclusion that a petition remonstrating against the prohibition to import American pork was some time since received from the tradesmen of Königsberg, some of whom, and the very ones who had been most prominent in getting up the petition, have since been punished for selling trichinous American pork.

Accept, etc.

VON EISENDECHER.

No. 99.

Mr. Frelinghuysen to Mr. Sargent.

No. 156.] DEPARTMENT OF STATE,
Washington, October 9, 1883.

SIR: With reference to previous correspondence on the subject I have to inform you that in view of the action taken by Germany and several other foreign powers in prohibiting the importation of American pork, upon the ground that it is an unhealthful article of food, this Government has now taken measures for such a thorough investigation of the subject as will, it is thought, leave no doubt whatever as to facts.

To this end the President has designated a commission which he has charged with the duty of making a searching and impartial examination of all the conditions of hog raising and packing industries of the United States.

The chairman of the commission is Dr. George B. Loring, the Commissioner of Agriculture, whose official duties for several years past have made him familiar with the subject now submitted to the commission for formal investigation.

The other members of the commission are:

1st. Prof. C. F. Chandler, an eminent scientist of New York, who was unanimously selected by the Chamber of Commerce of that city on account of his peculiar competency for the position;

2d. Eliphalet W. Blatchford, esq., who was nominated by the board of trade of Chicago as an intelligent gentleman of the very highest social and business standing, who "is in no way personally interested in the businesss to be investigated, and is possessed of those characteristics which it is believed will enable him fully, ably, and fairly to co-operate with the other members of the commission in placing these most important interests in their true position before the Government, and through it before the commercial world;"

3d. F. D. Curtis, esq., of Charlton, N. Y., recommended by the Department of Agriculture as a gentleman who has given long and diligent study to the industry; and

4th. Prof. D. E. Salmon, of Washington, D. C., nominated by the Commissioner of Agriculture, and well known as one of the most learned and skilfull veterinary surgeons in the United States.

This commission will be organized at an early day, and the results of its investigation will be submitted to Congress as soon as practicable.

As the imperial German Government has declined to be represented it will not be necessary for you to communicate the contents of this instruction to that Government, but you may, when a suitable opportunity presents itself, informally make known to the foreign office the action which this Government has taken with reference to the matter.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 100.

Mr. Sargent to Mr. Frelinghuysen.

No. 201.] LEGATION OF THE UNITED STATES,
Berlin, October 15, 1883. (Received October 29.)

SIR: I have the honor to state that I have observed with some interest the news in the German newspapers as to the existence of trichinosis in the Empire since the absolute exclusion of American pork and pork products, and since a sufficiently long time has elapsed to insure accuracy in the conclusion that the stock of American products of that kind is exhausted. From time to time notices of the prevalence of the disease have appeared.

It seems to me now just to conclude that cases reported are caused by the consumption of German or some other than American pork; and that it is no longer possible to ascribe to the articles furnished by the United States the disagreeable results of the consumption of raw pork.

In the Berliner Tageblatt of October 11 appears a telegram from Ermesleben, near Halberstadt, in Prussian Saxony, in which it is stated that there are now in that town about one hundred and eighty persons who have been seized with trichinosis. It is also stated that the epidemic does not seem to have reached its height, as new cases are reported daily, and that four persons have already died.

It is entirely safe to say that no such epidemic as this is shown to have ever resulted from the consumption of American salted pork, which must be cooked to be eaten.

I have, etc.,

A. A. SARGENT.

No. 101.

Mr. Smith to Mr. Davis.

[Extract.]

No. 104.] UNITED STATES COMMERCIAL AGENCY,
Mayence October 17, 1883. (Received November 12.)

SIR: As all items which appear in the newspapers of Germany respecting the occurrence of cases of trichinosis in the Empire are doubtless of interest and value to the Department just at this time, when American pork is excluded from this country under the plea of unwholesome ness, I have the honor to herewith lay before you the following short article which I met with in yesterday's evening edition of the Frankfurter Zeitung in regard to numerous cases of trichinæ infection recently brought to public notice in the province of Saxony, namely:

FROM THE PROVINCE OF SAXONY.

Various places in the province have recently been badly afflicted by trichinæ. In Ermesleben, according to the Nordhaüser-Zeitung, are at present 183 persons down therewith; in Deesdorf about 70–80; in Nienhagen, 57; in Crottorf, about 30–40; furthermore, are also lying in Gröningen, Klein-Gröningen, Quenstedt, Schwanstedt, and Wegeleben, persons ill from trichinosis. Cases of death have also begun to occur; in Quenstedt, 1; Ermesleben, 5; Gröningen, 2; and there are 30 or 40 persons of whose death intelligence is daily expected. The distress is indescribable. In Ermesleben, Crottorf, Deesdorf, Nienhagen, are whole families down sick. The cattle have departed in search of food, because there is no one to attend to them, or other-

wise must have gone hungry. The physicians are of the opinion that a further extension of the disease is to be feared, for, according to previous experience, persons who have partaken of flesh infected with trichinæ, not in a fresh state, but as black pudding, pickled pork, boiled flesh, etc., only after four weeks, and even later, have been seriously attacked with the malady. A judicial investigation is now in full progress.

I doubt not that I am fully justified in saying that there is no instance on record of the consumption of swine flesh in the United States of America having ever played such havoc with a community as that set forth in the foregoing article, and to the major part of our people it would seem almost impossible that any calamity of the kind could take place. In comparison with his German kinsman, the American hog is a very inoffensive creature, and more sinned against than sinning. He is reviled and persecuted here, but I do not believe that it is really so much because his flesh is considered dangerous as a food as because it is inimical to the farming interests of the Empire. Anyway, the Government at Berlin has forbidden its importation, and the great body of the German people are honestly of the opinion that its flesh is suspicious. * * * A residence of two years in Europe has led me almost to conclude that the people over here are very much inclined to regard everything American and from America as of the devil, for the devil, and by the devil, and ought to perish from the earth. Potato rot, phylloxera, trichinæ, and all the pests, plagues, hurricanes, and direful calamities by which the nations are visited, according to their disordered imaginations, have their origin in America.

I have, etc.,

JAS. HENRY SMITH.

No. 102.

Mr. Frelinghuysen to Mr. Sargent.

[Telegram.]

DEPARTMENT OF STATE,
Washington, October 20, 1883.

Mr. Frelinghuysen telegraphed to Mr. Sargent, instructing that a thorough investigation be made promptly by the nearest consuls of the origin of present trichina cases reported in Germany, for the information of the Commission.

No. 103.

Mr. Sargent to Mr. Frelinghuysen.

No. 204.] LEGATION OF THE UNITED STATES,
Berlin, October 20, 1883. (Received November 10.)

SIR: Referring to my No. 201, of 15th October, relating to the prevalence of cases of trichinosis in Germany since the absolute exclusion of all kinds of American pork products, and after the lapse of sufficient time to exclude the conclusion that the cases of disease arise from the consumption of American pork, I am now enabled to state fuller particulars of the epidemic that has broken out in Prussia, as I gather them from the Berlin newspapers, and the dispatches sent from this city to

the London journals. A telegram from Berlin to the London Daily News of Tuesday last has the following:

Concerning the Draconian measures taken by the German Government against the importation of American pork, it is very strange that a most alarming outbreak of trichinosis is reported from Saxony. In some ten villages nearly four hundred persons, including entire families, are prostrated by the terrible disease. Deaths are occurring daily, and over fifty cases are stated to be beyond hope, while the physicians expect the disease to spread still further. The police are actively engaged in searching for the origin of the epidemic.

The "Draconian measures" referred to have only been directed against American pork, and that in view of the fact, seemingly well founded, that the consumption of American pork in the United States, England, Switzerland, and Belgium, where it is thoroughly cooked before eating, very rarely produces consequences injurious to health; and also that investigation showed that the cases of trichinosis occurring in Germany before the prohibition arose from the consumption of native or Hungarian pork in its raw state, and not from the use of American pork. Good medical authority in France sanctions the view that American pork is not dangerous.

However much controversy might be raised over these propositions, there is no room for assumption that the present distressing epidemics are caused by the American articles. It might be worth all the inconvenience of a year's exclusion of our products of this kind for the result to be so clearly demonstrated that the cases of trichinosis which sometimes occur in Germany are unjustly ascribed to American pork. It has been the universal habit here to assign, without inquiry, this origin to trichinosis cases. Thus the cases occurring at Königsberg (Tilsit) were so accounted, although the inquiries which I caused to be made of the local military and civil authorities controverted that conclusion.

The correspondent of the Daily News falls into the same strain, and holds it extraordinary that trichinosis should be so prevalent and disastrous after the severe measures taken against American pork, as if such measures were all that were necessary to insure immunity.

I inclose a dispatch from the infected district, published in the Berliner Tageblatt of the 17th instant, with translation, in which the details given by the correspondent of the Daily News are confirmed. By this dispatch it seems the disease has been developing for some four weeks, and has spread through several villages, whose inhabitants are accustomed to eat raw sausage meat. All who have eaten pork in this form have died, and many are sick who have eaten probably imperfectly cooked meat and sausages from the infected pigs. The butcher who killed the swine, and the inspector, and their families, are sick. There seems to be no decline as yet in the disease, the horror of which is said to surpass conception. The local authorities are taking the expense of medical treatment upon themselves. That it is genuine trichinosis is shown by examining the flesh of the deceased.

These facts are interesting as showing that the ordinance of the Empire discriminating against American pork, while admitting Russian, Hungarian, or French pork, was not calculated to accomplish its avowed object, viz, the prevention of disease and death from trichinosis. There is no evidence that American pork is worse than that furnished by other countries, and hence no ground for discrimination against it. The danger comes at least equally from other quarters, viz, from German pork, or the pork of the neighboring countries. This is already demonstrated by the facts above given, for American pork can not be accused of being the cause of these present disasters. If this disease is caused by Ger-

man pork the claim in Herr Von Eisendecher's note of May 2, 1883, to the honorable Secretary of State is not justified, viz:

> Now, as Germany, by its strict and vigorously enforced legislation, *affords the same protection to its people at home against all dangers from German cattle and hogs*, it can not possibly treat the foreign producers better than its own.

If the disease comes from foreign hogs, except American, allowed still to be freely imported into Germany, the measure prohibiting our products was not only discriminating against the United States, but ineffectual. In any view the whole subject needs reconsideration by Germany.

I have, etc.,

A. A. SARGENT.

[Inclosure in No. 204.—Extract from Berliner Tageblatt of October 17, 1883.—Translation.]

ERMESLEBEN, NEAR HALBERSTADT.

The symptoms of trichinosis of which we have already made mention first made their appearance about four weeks ago in Ermesleben, where the pig or pigs were killed. About two hundred persons lie ill there, of whom fourteen have already died. Then followed Nienhagen, a small way-station near by, where about eighty persons have been attacked, none of whom have died as yet. Further, the disease appeared in Gröningen, Quenstadt, Schwanstedt, and Wegeleben. In all about three hundred persons suffer from it, of whom seventeen have died. Throughout the region the habit of eating (raw) chopped pork (so-called sausage meat) predominates, especially among the laboring class. All who have eaten of it in this shape die. But those, too, who have eaten it boiled, or as sausages—yes, as is asserted, even as lard, have been severely attacked with the malady, although their cases are not so hopeless. There does not seem to be a decline in the epidemic, and according to the opinion of the attending doctors, 50 per cent. of the infected die. Other reports estimate the mortality at 20 per cent. May the Almighty prevent this, for the horror of this malady surpasses all conception. In one family five persons, and in another seven, even, have been attacked. In one family four persons died. Even the butcher who sold the meat, and the inspector of the meat, together with their families, are sick. The former has already lost his mother, and there is little hope for himself. The parish authorities have taken very laudable steps to alleviate the distress. In Ermesleben the local authorities have taken the expenses of medical treatment, etc. upon themselves. and Deesdorf immediately granted 1,000 marks for that purpose. Those that die are all young, vigorous persons, and in most cases fathers or mothers of families.

In a portion taken from a female corpse for dissection, seventeen trichinæ, freed from the capsules, were easily discernible. Upon whom the blame falls, or whose negligence caused this disaster, will probably never appear, since, as already mentioned, the butcher as well as the inspector of the meat, a barber, have both been attacked by the disease.

No. 104.

Mr. Sargent to Mr. Frelinghuysen.

No. 205.] LEGATION OF THE UNITED STATES.
Berlin, October 22, 1883. (Received November 10.)

SIR: I have the honor to acknowledge the receipt last night of your telegram, reading as follows: [See *ante*, No. 102.] I have to-day communicated a copy of the above telegram to Mr. W. C. Fox, consul at Brunswick, with instructions to carefully and promptly execute it. I will send his report as soon as it is received. A copy of my letter to him is herewith inclosed.

I have, &c.,

A. A. SARGENT.

[Inclosure in No. 205.]

Mr. Sargent to Mr. Fox.

LEGATION OF THE UNITED STATES,
Berlin, October 21, 1883.

SIR: Late last night I received a telegram from the honorable Secretary of State, which reads as follows: [See *ante*, No. 102.] The cases of trichinosis referred to in the above are reported to have developed first about four weeks ago at Ermesleben, near Halberstadt, in your immediate neighborhood, and to have taken formidable dimensions there, so that by various accounts from fourteen to fifty persons have already died and two hundred persons now lie ill. The disease has also appeared at Gröningen, Quenstadt, Schwanstedt, and Wegeleben, in the same neighborhood, so that in all, it is stated, three hundred persons have suffered from it. The Department desires information to be at once furnished (for the use of the commission of inquiry into the general subject of American rearing and packing pork) as to the origin of this disease in the localities in question. Where were the pigs raised which were consumed by the sufferers; in what form was the pork eaten, raw or cooked? In short, all facts obtainable bearing upon the origin of this disease are wished.

As your consular district embraces these localities, you will please make immediate inquiry as to these points and any other bearing on the subject which you may deem useful, as to the extent of the epidemic: for instance, the number of persons affected, the number of deaths, and action of the authorities in view of the emergency, &c. Also, please inform me if any American pork now comes into your district, and if there is any reason for ascribing this visitation to American pork. I will transmit your report to the Department.

I will ask you to give immediate and personal attention to this matter by making inquiries on the spot of municipal officers, physicians, and others able and willing to inform you. I am aware that you can not take testimony under oath in such cases; but you can undoubtedly gather much and valuable information, and your acquaintance with the German language and public experience peculiarly fit you for this work required by the Department. I have no doubt that the honorable Secretary will allow you for any necessary expenses incurred in executing his order.

I have, &c.,

A. A. SARGENT.

No. 105.

Mr. Sargent to Mr. Frelinghuysen.

[Extract.]

No. 208.] LEGATION OF THE UNITED STATES,
Berlin, October 26, 1883. (Received November 12.)

SIR: I am now able to transmit the able report of Mr. W. C. Fox, consul at Brunswick, made in response to my request of the 21st instant, in obedience to your telegraphic instruction received here on the night of the 20th.

Mr. Fox intelligently followed the directions given to him, and was furnished every facility by the local authorities, whose courtesy towards him was most marked.

I refer the Department to his inclosed report for a full statement of the origin, nature, and extent of the disease. It may be briefly stated that the fully-ascertained cause of the epidemic was the consumption, mostly in an entirely raw and partly in a partially raw condition, of the flesh of three hogs raised in the vicinity, mixed with that of a Hungarian hog. The extraordinary spread of the disease, through five villages in a circuit of two miles, occurred because the potato harvest was in progress, and it was customary for the people to eat raw meat and bread in the fields at such times instead of spending time to go to and return from their homes. The inspection is alleged by the inspector and butcher to have been made in accordance with the law, though the

record required by law was not properly kept. The inspector was the village barber, the person habitually employed in Germany for such inspections, who passes an examination as to his fitness for the task. But the three preparations made for microscopic inspection, under the law are not sufficient to give safe results, as trichinæ are sometimes found only after thirty or forty trials. The only safeguard of the consumer against the disease is thorough cooking, and this is ample.

The whole number of cases so far is about 430, of which 36 have been fatal and 19 more probably will be fatal.

I learn from another source, outside of this report of Mr. Fox, from an eye-witness who is fully reliable, that the scenes at Ermesleben are distressing in the highest degree. My informant entered one house where the grandmother, father, and son lay dead, and a daughter, about eighteen years of age, lay sick. She is the only one of the family left, and may recover. There are about 700 inhabitants in the village, living in about 120 houses. There are 267 sick in 85 houses. Some of the people are in want, but the community is rich, some of the peasants being worth $200,000 apiece. There is a large kitchen where food is prepared for all the sick, for rich and poor alike.

The sickness is accompanied by extreme exhaustion. Swollen extremities force the patients to remain perfectly still for weeks, unless relieved from suffering by death, which is caused directly by suffocation.

These sad scenes lead to several conclusions:

1st. American pork is exonerated from the suspicion of being the cause of this disaster, and its prohibition by Germany upon the theory that it is more harmful than other pork is unadvised. * * *

2d. The inspection laws of Germany are totally inadequate to prevent such calamities so long as the people indulge the habit, which seems to Americans nauseous, of eating pork raw.

3d. This epidemic is a terrible warning to Germany to abstain from eating raw pork. In the language of Professor Hertwieg to the convention of butchers of Berlin, in 1865, "You know what you have to do in your kitchens, and if you do it properly we have no need of inspection."

The constant danger from native pork eaten in a raw state is shown by the results following the prospect of local rewards given for the detection of trichinæ. I translate the two following anouncements from a recent number of the Halberstädter Intelligenzblatt, published in the infected neighborhood, showing not only that the domestic article is highly dangerous, but that the inspection contemplated by the law is insufficient:

QUEDLINBURG, *October* 14.

A reward of 30 marks of public money has been awarded to Inspector Reder, at Gr. Schierstedt, for the discovery of trichinæ in a hog examined by him.

The magistrate of Quedlinburg has awarded a reward of 15 marks to the inspector of meat, Julius Yrem, for the discovery of trichinæ in a pig slaughtered on the 29th ultimo.

An article published last spring in a newspaper of Berlin, which is usually supposed to express official ideas, held to the view that the prohibitory decree was proper, because a government must recognize in its acts the tastes of its people; that Germans like to eat pork raw, and hence the fact that well-cooked pork is safe and uncooked pork dangerous does not make any difference; the Government will keep out the American article because it is dangerous in a raw state. The discussion of these events at Ermesleben in the German papers has been quite restricted, and it seems to me there has not been much disposition to draw the natural inferences, viz, that the eating of raw pork of all nationalities should cease. * * *

I have thanked Mr. Fox for his interesting report, and will forward to the Department the official statement of the local authorities to which he alludes as soon as I receive it, and will also have inquiries made as to any other neighborhood in which I may observe the disease stated to be prevalent.

I have, etc.,

A. A. SARGENT.

[Inclosure in No. 208.]

Consul Fox to Mr. Sargent.

UNITED STATES CONSULATE,
Brunswick, October 25, 1883.

SIR: In compliance with your instructions I visited the villages of Ermesleben and Deesdorf, in this consular district, on October 23, and have now the honor to make the following report upon the trichina epidemic prevailing in that vicinity:

Ermesleben, the place where the disease has taken most formidable dimensions, is situated near the Harz Mountains, about five English miles from the city of Halberstadt, in the province of Saxony. It embraces in its complex some of the most fertile soil and is one of the most prosperous localities in the Prussian Kingdom.

The scourge now raging there has awakened not only the heartfelt sympathy of all, but the liveliest interest in medical circles, and the locality is visited daily by physicians from abroad and others interested in obtaining scientific information in regard to it. It has assumed such proportions that it is absolutely impossible for the resident physicians to attend to all the cases. Under the direction of privy counsellor, Prof. Dr. Weber, of Halle, Mr. Wagner, a student of medicine, is on the spot ministering to the wants of the sick and taking notes for the purpose of future publication. To this gentleman, as well as to Mr. Pastor Greiling, who is also unceasing in his attentions to the sufferers, and to Mr. Amtmann Heine, magistrate, of the village, I am indebted for many courtesies shown, as well as for information in regard to and opportunity to personally see many of the patients. The sickness was first noticed in Ermesleben about September 16. Several persons were taken suddenly ill with nausea and acute diarrhea. Medical aid was obtained forthwith, and it was first thought that a cholera epidemic had broken out (*cholera nostras*), until other symptoms—swelling of the eyes, face, and extremities, combined with high fever—showed that it was undoubtedly trichinosis. The disease spread rapidly, and up to date 433 cases have been recorded; 36 have been fatal, and upwards of 19 will undoubtedly prove so, as follows:

Places.	Cases.	Deaths.	Probably die.
Ermesleben	267	27	14
Nienhagen	80	None.	?
Gröningen (Kloster)	10	2	!
Deesdorf	40	7	5
	397	36	19
	433		

In Nienhagen and Gröningen the cases are much lighter than in Ermesleben, and in all probability the patients will all recover. Several cases are reported to exist in Wegeleben and Köthhof, though not over five in all. All of the infected villages lie within a circuit of about two English miles. I made Ermesleben and Deesdorf the basis of my investigation, and was informed by the gentlemen with whom I conversed upon the subject that I could learn nothing of further interest in the other places, as all the parties competent to give me information were in Ermesleben at the time. When it became apparent that the disease was trichinosis the local authorities immediately instituted a thorough investigation in the endeavor to locate its origin. It appears that on or about the 12th and 14th of September four swine were butchered; the meat of all was mixed and sold to the inhabitants of the infected districts. Three of the pigs were the so-called *landschwein* (common kind reared in the vicinity), the other was a *Baguner* (Hungarian). The fact has been established be-

yond all dispute that in all the cases the patients had eaten the meat *raw*, either in the form of *Klumpfleisch* (raw chopped meat), or in the form of *Rothwurst* (blood sausage). This latter article is said to be cooked, but (my informant, Mr. Pastor Greiling, assured me) so slightly as to have no effect whatever upon the trichinæ germs. The custom of eating raw swine's meat is prevalent in the neighborhood, and the first trichinæ epidemic occurred in 1865, though it was not so disastrous as the one now raging. The inhabitants claimed then, as now, that the swine were not properly inspected. The country folk have the idea that the examination, when conducted according to law, gives them ample security. Dr. Wagner maintained to me, however, that this is an erroneous supposition, and that the present law is very defective. The law requires the inspector to make at least three preparations for microscopic examination, and, as a rule, he rarely makes more. It is asserted, however, that experiment has proved that the trichinæ are sometimes found only after the thirtieth or fortieth trial respectively. In 1865 Professor Hertwieg, in an address delivered before a convention of Berlin butchers, said, "You know what you have to do in your kitchen, and if you do it properly we have no need for inspection."

I think that the whole case is here stated in a nut-shell, and Ermesleben affords additional evidence of the truth of the statement. Mr. Amtmann Heine, leaseholder of the Ermesleben estates, together with his family, partook of the meat in cooked form. None of them have suffered in the least. One of the kitchen maids, however, simply tasted of the raw meat and is ill. The village tavern keeper and his family also ate of the cooked meat and are well and hearty. His little daughter ate some of it raw at a neighbor's home and became slightly infected. The sworn official inspector, who is, by the way, the village barber in Ermesleben, and the butcher, have been held to answer, and in the preliminary examination the charges of manslaughter, infliction of bodily injury, and negligence in performance of duty have been preferred.

Under the law the butcher is required to notify the inspector when he has slaughtered a pig. The inspection is then made, which consists simply in making preparations for microscopic examination, as before stated; the inspector then certifies to the facts as they may appear to him. If he declares the animal to be clean, its meat can be sold for consumption. The butcher, as well as the inspector, is required to keep a list of all swine slaughtered and inspected. This list is at all times open to the revision of the authorities. In the case in question it appears that this list was not kept, or, if kept at all, so imperfectly as to be wholly worthless as evidence. The delinquents made an effort to put it in order, were detected, and finally acknowledged it. They nevertheless earnestly maintained that the inspection was made according to law. The parties as well as their family are all sick; several members have died, and others are at the point of death. A circumstance which in a measure explains how it happened that the epidemic assumed such formidable proportions in Ermesleben is the fact that it was the time of the potato harvest, and the whole village, young and old, men, women, and children, were at work in the potato fields. At such times it is the custom not to cook a midday meal, but, in order to save the time which would otherwise be consumed in going and coming, to take a simple repast composed of raw meat and bread. As a natural consequence the sickness has caused great consternation in the community, and the people have become doubly careful. As a result, according to the Halberstädter Intelligenzblatt, several infected swine have been discovered. Mr. Meinecke, a veterinary surgeon in Derenburg, succeeded in finding one, and in his report makes the following suggestions:

1. In order to secure thorough inspection to offer a high premium for every infected hog found.
2. Not to eat the raw meat.
3. To adopt measures to prevent the swine becoming infected.

In conclusion it is hardly necessary for me to mention that the local authorities as well as private charity are doing all that human power can do to relieve the present distress. I can not, however, refrain, in expressing my sincere thanks to Pastor Greiling and Mr. Wagner, to refer to their untiring energy and self-sacrifice of personal interests, in the work which they have on hand. Mr. Wagner is preparing an exhaustive report, which he has promised to send me when completed, and I hope to be able to transmit same to you at an early day. While we certainly deeply sympathize with this sadly afflicted community, it must nevertheless be the source of peculiar satisfaction to our countrymen to know that the malady was not caused by American meats. In fact, it has not been even intimated that such a thing was possible, and there is no evidence that American pork has ever been used there at all.

I have, etc.,

WILLIAM C. FOX,
United States Consul.

No. 106.

Mr. Sargent to Mr. Frelinghuysen.

No. 213.] LEGATION OF THE UNITED STATES,
Berlin, November 1, 1883. (Received November 20.)

SIR: Referring to previous correspondence on the subject of trichinosis, and in particular to my dispatch No. 208, of October 28 last, with which I inclose the report of Consul Fox on the outbreak of the disease at Ermesleben and other places in the vicinity, I have the honor to communicate in translation an announcement reporting the progress of the disease at those places, which I take from the National Gaeztte of this city of the 1st instant:

In the last few days two more persons have died of the trichinosis in the neighboring village of Ermesleben. This makes the number of persons who have died there 30, and in the vicinity 9; altogether, 39. Unfortunately 270 persons are still prostrated by the terrible disease, among them several who are severely ill, and whose death is daily expected. As the physicians have recommended as the best diet strong bouillon and wine, many of the sufferers being unable to swallow solid nourishment on account of the swollen condition of their throats, the community continues to cook and provide for all in common. Some 60 pounds of good sound beef are required daily in order to comply with the directions of the physicians.

The assistance required from and supported by the community has thus far amounted to about 900 marks weekly. A writer to the Magdeburg Gazette says that this community, which is not without means, and which enjoys the enviable position of having no local poor to provide for, has for some five weeks and until now been able to carry on unaided this work of love, but that it now needs the assistance of charitable people.

It will be seen from the above that the number of the sufferers, and also the number of deaths from the disease, have increased since the date of the report of Consul Fox 267 to 270 and from 36 to 39, respectively, while several more fatal terminations are anticipated.

Another outbreak of the trichinosis, though of a far milder character, has occurred at Zechin and neighboring villages situated in the vicinity of Frankfort-on-the-Oder, in Prussia. A Berlin sheet, the Neueste Nachrichten, of the 25th ultimo, makes the following announcement:

The trichinosis has lately assumed most serious dimensions in spite of all legal and administrative measures. At Zechin, in the circuit Letschin, the disease has appeared in thirty families. In Letschin two persons have been attacked; at Vossberg eight; other persons are reported as attacked at Sydowswiese, Friedrichsan, Golzow, and also in the so-called Bush-villages (Gericksberg, Lemaunshösel, Bayersberg) and elsewhere. It is hard to say where the outbreak may end, since the supposed diseased meat, worked up into garlic sausages, has been disseminated far and wide. The persons attacked at Zechin assert that they bought and ate about two weeks ago pigs' flesh from a dealer at that place. This dealer and his son are among the persons attacked.

Within a brief period after the above publication it was reported that the disease at Zechin was of a mild type and that it was believed by the physicians that all the patients would recover; also that the investigation had not disclosed the source of the meat causing the disease, and that no facts had appeared fastening the sale of the diseased meat upon the dealer at Zechin.

I shall carefully watch for any report of results that may be reached in the search for the origin of this outbreak, and cause an investigation to be made on the spot, if the expenditure seems warranted, and report thereon. In the mean time it would seem safe to assume that the blame can not attach to American pork so long after prohibition of its importation into the country.

I have, etc.,

A. A. SARGENT.

No. 107.

Mr. Sargent to Mr. Frelinghuysen.

No. 214.] LEGATION OF THE UNITED STATES,
Berlin, November 12, 1883. (Received November 26.)

SIR: Referring to the subject of trichinosis at Ermesleben, I have the honor to transmit the latest news from that place of the progress and conditions of the disease in the following translated excerpts from the local papers:

HALBERSTADT.—Yesterday and day before there were five more deaths from trichinosis in the neighboring village of Ermesleben, so that the total number of persons of every age who have succumbed to this terrible disease is 41. In the surrounding villages 9 have died to date. The distress is daily increasing. It is, however, gratifying that the call for assistance is meeting with such hearty response. The collection opened by Dölle's newspaper of this place already shows receipts up to nearly 600 marks. It seems striking that just at this time trichinæ should be so frequently discovered. Among others, Mr. Meinicke, veterinary surgeon in our neighboring town of Derenburg, Meat Inspector Plettner, of Wernigerod, etc., have lately found swine infected with trichinæ. Notwithstanding the fact that the discovery of trichinæ in swine is of so frequent occurrence, the insurance, which costs from 30 pfennige to 50 pfennige per pig, is generally neglected. We have positive information that a whole family in Gröningen have been taken sick with trichinosis, happily not dangerously, from eating of pig which they had themselves slaughtered and inspected. A second inspection after several weeks had elapsed showed the pig to be slightly infected.

The fact is important that a family has been stricken down after eating pork which had been especially killed and inspected by itself, as the opinion prevails that such special inspection is a sure guarantee against trichinosis.

The same paper, of the 7th instant, has the following:

HALBERSTADT, *November* 5.—To-day Mr. E. Bodenstein, meat inspector of this city again discovered trichinæ in a pig slaughtered by a local butcher. We are informed by experts that the trichinæ are found to exist chiefly in the lights and diaphragm of infected swine, but that the examination of these parts is generally omitted. Trichinæ are found in almost equal numbers in the diaphragm and the so-called tenderloin; in less numbers, however, in the hams. It is nevertheless generally believed, and the idea is prevalent, that the chief seat of the trichinæ is the hard muscles and hams. A thorough examination by expert meat inspectors is absolutely necessary.

It will be observed that inspection, so often fallacious, is still recommended, instead of cooking or even salting, which probably destroys the germs.

By an item in the Berlin Tageblatt, of yesterday, I learned that during the past month of October there were discoverd at the municipal meat inspector's office at the central slaughter-house, at Berlin, where all cattle are slaughtered, twenty-two cases of trichinæ and one hundred and twenty-seven measly swine. These were seized by the police and taken to the fiscal rendering house for destruction, or for other than food purposes.

I have, etc., A. A. SARGENT.

No. 108.

Mr. Frelinghuysen to Mr. Sargent.

No. 169.] DEPARTMENT OF STATE,
Washington, November 27, 1883.

SIR: Acknowledging the receipt of your dispatch No. 208, of the 26th ultimo, I have to thank you for the very instructive report which you obtained with commendable promptness for the use of this Department in relation to the outbreak of trichinosis at Ermesleben, in Germany.

I am, etc., FRED'K T. FRELINGHUYSEN.

109.

Mr. Sargent to Mr. Frelinghuysen.

No. 218.] LEGATION OF THE UNITED STATES,
Berlin, December 1, 1883. (Received December 17.)

SIR: I have the honor to inform you that, in consequence of notices which appeared in the daily papers that an outbreak of trichinosis had occurred at Thorn, a city in West Prussia, of 70,000 inhabitants, I wrote to Mr. Peter Collas, our consular agent at Danzig, to furnish me with such particulars as he might be able to obtain in regard to the reported epidemic.

The following is one of the notices referred to:

THORN, *November* 20.—It is confirmed that about fifty persons have been attacked by trichinosis here; up to Saturday, twenty-one cases were authenticated by the district physician, and since then many new cases have been reported to the police. A meat shop, in which infected sausages were discovered, was closed on Saturday, but after an inspection of the remaining wares, was again opened. The owner of the shop had received about 230 pounds of meat from Culmsee, through which the dreadful disease seems to have been brought hither, as previous to this several persons had been attacked by trichinosis at Culmsee. By order of the commander of this place, the soldiers of the garrison are forbidden to purchase sausages or raw ham in the meat shops here.

I herewith inclose a copy of the reply received from Mr. Collas, with a copy and translation of the letter from the editor of the Thorn newspaper, from whom his information was received, which confirms the above report. It seems that the pork causing the mischief is of native production.

I have, etc.,

A. A. SARGENT.

[Inclosure 1 in No. 218.]

Mr. Collas to Mr. Sargent.

UNITED STATES CONSULAR AGENCY,
Danzig, November 30, 1883.

SIR: In consequence of your request, I at once made inquiries respecting the trichinosis at Thorn, where I find that about fifty cases, more or less serious, have occurred, arising from the enjoyment of sausages manufactured from pork sent hither from Culmsee, a place about 20 kilometers distant, the meat being native production. It is not quite clear whether the same was examined in the usual manner before going into consumption, but this is under investigation at present by the official authorities, and about which I shall endeavor to obtain the result and information later on.

Inclosed the note from which the foregoing is derived.

I remain, etc.,

PETER COLLAS,
United States Consular Agent.

[Inclosure 2 in No. 218.—Translation.]

Mr. Queschede to Mr. Guldzniski.

THORN, *November* 23, 1883.

In reply to your esteemed inquiry of yesterday, we respectfully inform you that, according to the researches made by us, about fifty cases of trichinosis have occurred. The disease has been caused by the consumption of sausage, which was made from inland pork. This pork is said to have been brought here from Culmsee, but the dealer in question denies this. The investigation already instituted by the authorities will develop the facts. There has as yet been no question made regarding *foreign* pork.

Respectfully,

GUSTAV QUESCHEDE,
Editor Thorner Ostdeutsche Zeitung

No. 110.

Mr. Frelinghuysen to Mr. Sargent.

No. 177.] DEPARTMENT OF STATE,
Washington, December 26, 1883.

SIR: Your dispatch, No. 218, of the 1st instant, concerning the outbreak of trichinosis at Thorn, in West Prussia, has been read with interest.

Adding that the Department approves your course in promptly instituting inquiries into the matter,

I am, &c.,

FRED'K T. FRELINGHUYSEN.

GREECE.

No. 111.

Mr. Schuyler to Mr. Frelinghuysen.

No. 8.] LEGATION OF THE UNITED STATES,
Athens, February 10, 1883. (Received March 5.)

SIR: I received a few days ago a circular of the minister of the interior, dated January 23, 1883, addressed to the provincial authorities of the Kingdom and to the bureau of health of Piræus, with reference to the importation of cattle from various eastern countries. The second paragraph, however, of the circular renewed the prohibition against the importation of hams, sausages, and lard coming from America, either directly or indirectly. I inclose a copy and translation of this circular.

On his first reception day I inquired of Mr. Tricoupis whether the Government had any additional reasons for prohibiting the importation of hams, etc., from the United States, adding that I thought that the results of the investigations undertaken by the order of our Government had sufficiently proved that there was no danger to be expected from such importations. Mr. Tricoupis said that he was ignorant of the causes which had led to the insertion of the paragraph referred to, as, in his capacity of minister of the interior, he had simply published a circular prepared by the sanitary authorities of his department; that if he had noticed the passage he would have inquired, because he remembered that Mr. Botassi, the Greek consul-general at New York, had made a report in which he stated that the reports about disease of swine, etc., in America, had been greatly exaggerated. He promised me, therefore, to make further inquiries, and, without binding himself, gave me to understand that if the result of his inquiries proved satisfactory, the prohibition would be withdrawn.

I have, etc.,

EUGENE SCHUYLER.

[Inclosure in No. 8.—Translation.]

CIRCULAR PROHIBITING IMPORTATION OF AMERICAN PORK.

ATHENS, *January* 11, 1883.

The Ministry of the Interior to the Nomarchs and Eparchs of the Kingdom and to the Bureau of Health of Piræus.

According to the orders which you have already received, cows and buffaloes coming from Russia, Asia Minor, Syria, Egypt, Thrace, Valona, and Rahova in Roumania, on account of the epizoöty raging in these countries, are only allowed to be imported by way of Syra, Corfu, and Piræus, and after a previous quarantine. With regard to raw cow and buffalo hides of the same origin, their importation is only permitted by Syra and Corfu, and with all the prescribed sanitary precautions, while the importation of other products of these animals, such as bones, intestines, etc., is absolutely forbidden.

By the present circular we renew to you these orders, and also those concerning the prohibition to importin to Greece, hams, sausages, lard, etc., coming directly or indirectly from America, and we order you to see that these orders are strictly executed by the sanitary authorities of your jurisdiction.

On the recommendation of the medical council, and in view of the epizoöty existing in Thrace and at Valona, we also forbid the importation of cows and buffaloes coming from any part of Turkey in Europe, by any other way than Syra, Corfu, and Piræus, and until after a previous quarantine of nine days, including the days of the passage. We also forbid the importation into Greece of raw cow hides of the same origin, except by way of Syra or Corfu, and after the observance of the sanitary measures prescribed by the regulations. The importation of dried and salted cow hides is not prohibited.

You will communicate the contents of this circular to the sanitary authorities of your jurisdiction.

The minister:

CH. TRICOUPIS.

No. 112.

Mr. Frelinghuysen to Mr. Schuyler.

No. 20.] DEPARTMENT OF STATE,
Washington, March 9, 1883.

SIR: I have to acknowledge your No. 8 (Greek diplomatic series), of the 10th ultimo, in regard to the renewal of the prohibition against American pork, in which you state that you had a conversation with the minister of foreign affairs, in which he said that inquiry would be made in the matter. It is trusted that the hopes you express of the withdrawal of the obnoxious provision will be realized.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 113.

Mr. Schuyler to Mr. Frelinghuysen.

No. 29.] LEGATION OF THE UNITED STATES,
Athens, May 17, 1883. (Received June 4.)

SIR: Referring to my dispatch No. 8, dated February 10, 1883, on the subject of the prohibition of the importation of American pork into Greece, I have the honor to inform you that I yesterday had a conversation on the subject with Mr. Tricoupis, the president of the council of ministers.

He stated to me that in consequence of my previous representation, a circular had been issued to all the representatives of the Greek Government in Europe, requesting them to ascertain exactly the action of the Governments to which they are accredited on the subject; and that a telegram had also been sent to the consul-general of Greece at New York, requesting an exact report on the health of American swine and the quality of American pork and lard. He thought that answers would soon be received, and that within a month the Hellenic Government would be sufficiently well informed to be able to take action in the matter.

I have, etc.,

EUGENE SCHUYLER.

No. 114.

Mr. Davis to Mr. Schuyler.

[Extract.]

No. 33.] DEPARTMENT OF STATE,
Washington, May 28, 1883.

SIR: In a dispatch from Berlin, dated the 4th instant, Mr. Sargent remarks as follows:

> The London Times correspondent on the 1st instant says:
> Imitating the action of the German Federal Council, the Greek Government has, from sanitary considerations, forbidden the importation of all sorts of American pig flesh.
> * * * * * * *

Information of this action of the Government of Greece was duly conveyed in your No. 8 (Greek diplomatic series), of February 10 last, and of your conversation at the time with the minister of foreign affairs.

* * * * * * *

Aside from the assurance of Mr. Botassi, the Greek consul-general at New York, that the reports about disease of swine, etc., in America had been greatly exaggerated, a modification of the circular might well be asked upon the consideration which the subject has received in other directions.

Thorough scientific scrutiny and extensive observation at different periods and by various earnest and competent individuals have failed to establish that American pork is oftener or more fully impregnated than that coming from other regions, or that the serious maladies which the consumption of the diseased hog flesh may occasion are, as a fact, prevalent in any country; and when is considered the immense pork products of this country which have annually been distributed and consumed, this conspicuous freedom from the dreaded disease should itself relieve the United States from these unjust and unwarrantable charges.

This Government will yield to no other in the sincere intention of treating the public health as of paramount concern, and it would be the first to sacrifice any commercial interest fairly shown to be detrimental to the general individual comfort. In this spirit the Department, upon the first agitation of the subject, dispatched a skilled officer to the principal raising and packing districts here to obtain, for its guidance, a careful and candid investigation of the subject. His conclusions, which you will find in the inclosed pamphlet,* strongly developed the purity

*See House Ex. Doc. 209, Forty-seventh Congress, first session, page 179.

of this class of exports and confirmed the previous justifiable opinion that all contrary assertions were exaggerated and without sufficient foundation.

The further inspections which have occurred abroad have all tended to the same conclusion, and have exhibited an unanimity in this, that pork can safely be used if cooked, even when in rare instances containing trichinæ, and that its noxious effects have only been observed among those who consume it in the raw state. As to the cholera, which has served to create such marked apprehension abroad, it is well ascertained that this disease attacks mostly the young swine—here known as "pigs"—whose flesh can never be utilized by the packers, and that whenever its victim is a mature swine, here known as "hog," the decomposition is so speedy as to render it impossible to treat it for any commercial use whatever.

In the face of these considerations this Government does not expect a persistent adherence to the prohibitory policy which has already injured our trade and depreciated our products, and it can not observe without earnest protest the announcement, at this late stage, of the determination of any Government to enter upon the policy which has so unjustly affected a legitimate and valuable trade.

It is not to be overlooked that, so far as Greece is concerned, the direct importation, at least, of American pork is very insignificant; that it is not understood that a single instance of disease from its use has been noted there, and therefore the present acceptance by that Government of the policy which has already borne hard upon the commerce of our citizens with other countries would groundlessly throw the weight of her influence in favor of a harsh and unjust discrimination against American commerce.

It is hoped that you will take early occasion to endeavor to obtain from the minister a recession of the objectionable restrictions, informing him of the uncordial attitude to an American interest which the present position of Greece necessarily presents.

* * * * * * *

I am, etc.,

JOHN DAVIS,
Acting Secretary.

No. 115.

Mr. Schuyler to Mr. Frelinghuysen.

No. 31.] LEGATION OF THE UNITED STATES,
Athens, July 25, 1883. (Received August 18.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 33, dated May 28, with reference to the prohibition by the Greek Government of American pork. I have not failed to give this subject my earnest attention, but I have not yet obtained the exact replies to the circulars sent out by the Greek Government, as mentioned in my dispatch No. 29, dated May 17.

I do not despair of obtaining a modification of the order in question.

It must be observed, however, that southern peoples are very susceptible to anything that concerns public health, and although almost no pork is imported into Greece from any country, yet the fact that such importation has been prohibited or restricted in other countries would

be a sufficient reason in the minds of many for a similar restriction here without the necessity of suggestions from outside to that effect. This susceptibility may be particularly observed now, when a quarantine of twenty-one days has been imposed on account of the cholera in Egypt. As the quarantine in Turkey on similar vessels is only ten days, it is proposed to impose a quarantine of eleven days on all vessels coming from Constantinople.

In the mean time I respectfully ask you to inform me briefly as to the status of American pork *in all the other countries of Europe*, whether freely admitted, with restrictions, or entirely prohibited. I have some general knowledge of the subject, but do not know positively the present state of the case, except as regards Germany and Austria.

I shall also be glad to receive several more copies of the pamphlet entitled "American Pork," inclosed in your No. 33. If there is a translation in French it would be more useful for distribution.

As concerns the prohibition of pork in Roumania, of which I informed you by my dispatch No. 86, dated September 22, 1881, the case is different, and I do not consider it possible to obtain any modification whatever. The fact is that the sanitary and veterinary regulations between Austria-Hungary and Roumania are very severe and are enforced on the part of the Hungarian Government with great vigor on very slight pretexts. Roumania exports pigs and pork, and does not generally import them, and unless it maintain the restrictions against the pig products of other countries its exportation to Austria-Hungary will be forbidden.

I have, etc.,

EUGENE SCHUYLER.

No. 116.

Mr. Frelinghuysen to Mr. Schuyler.

No. 5.] DEPARTMENT OF STATE,
Washington, September 18, 1883.

SIR: Acknowledging the receipt of your No. 31 (Greek diplomatic series), of the 25th July, I have to say that several copies of the pamphlet to which you refer, viz, "American Pork, &c., 1881," published by this Department, will be sent you at once, under separate cover. This pamphlet was translated into French in 1881, at the American legation, Paris; and I trust that on written application to Minister Morton you may be able to procure a copy.

In response to your query as to the present status of the admission of American pork at European ports, I refer you to House Executive Document No. 209, Forty-seventh Congress, first session; and have to add that according to No. 333 (April 13, 1883) of Mr. Morton, the French exclusion of American pork (owing to the pressure of certain French packers, evidently) is still maintained. According to No. 41 of Mr. Heap (August 10, 1881) Turkey was at that time still disinclined to remove the prohibition there declared; and it seems that we have no later advices from Constantinople on the subject. A like attitude was maintained by Portugal as late as July 25, 1881, since which period the Department appears to be without further information in this regard.

The attitude of Switzerland, as respects the introduction there of our pork products is less intelligent than that of Belgium. (See pamphlet.) The latest report on the subject seems to be contained in dispatch No.

420 of Mr. Fish, dated July 15, 1881. It appears by No. 40 of Mr. Foster, of July 23 last, that Spain has not prohibited the importation of American pork, as reported, but has only ordered inspection. It is apparent from dispatch No. 106, of April 30, 1881, of our minister at Stockholm, and from No. 15, of April 28 last, our diplomatic representative at Copenhagen, that our pork trade with Denmark and with Sweden and Norway will not easily be interrupted, and it is, doubtless, safe to say that our trade in pork with countries of Europe, aside from those named above (some of which exclude our pork and some of which do not), and Roumania, will continue as heretofore.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

No. 117.

Mr. Schuyler to Mr. Frelinghuysen.

[Extract.]

No. 42.] LEGATION OF THE UNITED STATES,
Athens, October 19, 1883. (Received November 7.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 5, dated September 18, 1883, relative to the present status of the admission of American pork at European ports, as also of nine copies of the pamphlet on American pork, six copies of a French translation of the same through the American legation at Paris, and a copy of House Executive Document No. 209, Forty-seventh Congress, first session.

Referring to my dispatches No. 8, dated February 10, No. 29, dated May 7, and No. 31, dated July 25, I have further to report my action on the subject.

About April 20, after Mr. Tricoupis had given up the foreign office and Mr. Contostavlo had been appointed minister of foreign affairs, I received a circular on the importation of pork, dated April 7–19, of which I inclose a copy and a translation. I immediately went to see Mr. Contostavlo, and expressed my regret that an additional circular should be issued, when the question of the prohibition of pork was under discussion between the two Governments in consequence of the circular of January 11. He professed his entire ignorance of the matter, as he had just entered office, and promised inquiry.

* * * * * * *

As the result of several consultations with the prime minister, the minister of foreign affairs, and the minister of the interior, the question was twice sent back to the medical council, and on each occasion this body, composed of three physicians practicing in Athens, at the head of which is Dr. Soutsos, the chief medical officer of the army, refused to rescind the action which it had already taken. The reason given was that the importation of pork had been prohibited in France, and as a southern people like the Greek was especially susceptible to anything which bore upon the health of the population, the medical council had considered it necessary to follow this precedent. * * *

When the medical council had twice refused to revise their action, I considered it my duty to bring to the notice of the authorities the fact that their action in the case was contrary to the provisions of Article

VIII, of our treaty with Greece of 1837. Mr. Contostavlo said off-hand, that sanitary considerations took precedence of all others. I replied that this could only be the case where they were mentioned in the treaty; that there was often a provision in treaties that prohibitions applying to a single country might be made where sanitary measures warranted it; but that without such a provision I could not admit its propriety, especially as in the treaty of 1837, the article about quarantine (Article XV) showed that sanitary questions had been considered by the negotiators. * * *

After receiving your dispatch No. 5, dated September 18, I addressed to Mr. Contostavlo a note on the subject, dated October 17, a copy of which I herewith inclose, marked 3, and of which I trust that you will approve.

I have, &c.,

EUGENE SCHUYLER.

[Inclosure 1 in No. 42.—Translation.]

Circular of the Minister of Foreign Affairs.

MINISTRY OF FOREIGN AFFAIRS,
Athens, April 7–19, 1883.

The minister of foreign affairs has the honor to inform the legation of the United States of America that, upon the advice of the medical council of Athens, the department of the interior has just forbidden the import into Greece of hams, sausages, lard, and other pork products coming from America, because of the trichinosis with which pigs in that country are attacked.

The import of similar products coming from other countries will only be allowed on a certificate from the sanitary authorities of the country certified to by the competent Hellenic consul, stating that the above malady does not exist in the country from which these products come.

Mr. Contostavlo has, &c.

[Inclosure 2 in No. 42.]

Mr. Schuyler to Mr. Contastavlo.

LEGATION OF THE UNITED STATES,
Athens, October 5–17, 1883.

Mr. MINISTER: After the conversations which I had the honor to have with your excellency on the subject of the prohibition, by the Hellenic Government, of hams, sausages, lard, and other products of pork imported from the United States, I had hoped that the medical council would revise its decision. I thank you sincerely for having on two different occasions called the attention of the medical council to this subject, and I greatly regret that it has seen fit to maintain its former decision.

The council has apparently not taken into consideration the statements with regard to the manufacture of pork and proving the absence of disease in the United States, as set forth in the official report, of which I had the honor to give you a copy, and of which I now inclose three copies in a French translation. It would appear, too, from what your excellency told me, that the medical council has not examined this question for itself nor has even ever seen and inspected pork products of American origin, but has based its decision upon the action of certain other Governments, which, in order to encourage the production of salt pork at home, have, under the pretext of sanitary measures, prohibited its importation from the United States. As you are aware, Mr. Minister, not all Governments have taken the same course of action, and I may cite especially Great Britain and Belgium, in which countries American pork is largely consumed without injurious effect upon the health of the population. This deference on the part of the medical council to the action of certain other Governments is the more astonishing, as I am informed that the Hellenic consul-general at New York has officially reported that the accounts of disease among American hogs have been greatly exaggerated, yet no consideration seems to be given to his statements, and American pork is absolutely prohibited, while pork is allowed to be imported from other countries on the consul's certificate.

The medical council has apparently overlooked the fact that the difference of treatment which it establishes for the importation of pork is in direct contravention of Article VIII of the treaty betwen the United States and Greece of December 10–22, 1837. This article provides that there shall not be established in Greece on the products of the soil or of the industry of the United States any prohibition or restriction of importation unless such prohibition or restriction be also established upon articles of like nature coming from other countries.

As I am sure that His Majesty's Government has no intention of even seeming in any way to act contrary to the provisions of the treaty, I have no doubt that your excellency will at once call the attention of the medical council to this point, and provide that the pork products of the United States receive the same treatment as similar products of other countries.

I seize, &c.,

EUGENE SCHUYLER.

No. 118.

Mr. Schuyler to Mr. Frelinghuysen.

No. 52.] LEGATION OF THE UNITED STATES,
Athens, December 8, 1883. (Received December 27.)

SIR: Referring to my dispatch No. 42, dated October 19, on the subject of the prohibition of American pork in Greece, I have the honor to inclose herewith a copy and translation of a note I have just received from the minister of foreign affairs, which promises a new examination of the affair. The reference to information asked for at Berlin is probably called out by the fact that various statements have recently been published in the Greek newspapers about an outbreak of trichinosis in Germany.

I have, &c.,

EUGENE SCHUYLER.

[Inclosure in No. 52.—Translation.]

Mr. Contastavlo to Mr Schuyler.

MINISTRY OF FOREIGN AFFAIRS,
Athens, November 23–*December* 5, 1883.

Mr. MINISTER: The department of the interior, whose attention I hastened to draw to your note of October 5–17, respecting the prohibition of the importation of American pork into Greece, has just informed me that before revising the dispositions already made on this subject on the advice of the medical council of Athens, it required new and fuller information, which it has desired me to ask of our consul-general at New York and of the King's legation at Berlin.

I have just asked for this information, and I will not fail to duly communicate to you the decision which the ministry of the interior may think proper to make on the subject, as soon as this information has been received.

Please accept, &c.,

CONTASTAVLO.

No. 119.

Mr. Frelinghuysen to Mr. Schuyler.

No. 48.] DEPARTMENT OF STATE,
Washington, December 19, 1883.

SIR: I have to acknowledge the receipt of your Nos. 46 to 49 (Greek diplomatic series).

Approving your course touching the question of restriction placed on the introduction of American pork at the ports of Greece, as set forth in your No. 42.

I am, &c.,

FRED'K T. FRELINGHUYSEN.

THE NETHERLANDS.

No. 120.

Mr. Eckstein to Mr. Davis.

No. 261.] UNITED STATES CONSULATE,
Amsterdam, January 11, 1883. (Received January 27.)

SIR: I have the honor herewith to inclose a translation of certain extracts from a report made to the minister of the interior of The Netherlands, of an investigation as to the occurrence of trichinæ in pork imported from the United States.

I am, &c.,

D. ECKSTEIN,
United States Consul.

[Inclosure in No. 261.]

AMERICAN PORK IN HOLLAND.

As the agitation in Europe respecting American pork has not yet subsided, and shows even far greater vitality than trichina ever did, and as it appears that even Germany is about to be allied to France in making war upon the American hog product by prohibiting its importation, I concluded to bring to your knowledge what recently took place in this country with reference to this matter.

By the order and under the supervision of the minister of the interior an investigation was made as to the occurrence of trichinæ in pork imported from the United States.

The investigators made a report on the subject to the Government, which was published in the Staats Courant (official journal) in November last, but it did not come under my notice until a few days ago.

I should have liked to have furnished the Department with a translated copy of the entire report, but as it is very lengthy, and I can not manage to get it properly translated within any reasonable time, I subjoin hereto only the introductory remarks, the result of certain experiments made, and the conclusions reached by the investigators, viz:

"Acting upon a suggestion made by the board of inspectors for the sanitary supervision of the state, to institute an inquiry on an extensive scale, as to the occurrence of trichinæ in American pork, and as to the danger thereby incurred, the minister for the home department had, in the latter end of the year 1881, instructed the sanitary inspector for the province of South Holland to suggest in what manner such an inquiry might be held as to the pork imported at Rotterdam from America.

"The mode of inquiry accordingly proposed by the latter met with the approval of the minister, and it was thereupon determined that the investigation was to be held, under the supervision of the undersigned, by a few persons qualified for that purpose, who had offered their services, and who were to pursue their labors according to rules fixed uniformly for all.

"These investigators were Dr. F. I. Dupont, who had moreover taken upon himself to conduct the whole of the inquiry at Rotterdam; Dr. W. Nolen, Dr. H. I. Feth, professor of natural history at the higher burgherschool in Rotterdam; Mr. W. A. L. Legebeke, municipal apothecary, and three young ladies (one of whom has a diploma entitling her to teach natural history at middle-class schools) who have given most satisfactory proofs of their ability in using the microscope and in detecting trichinæ.

"In order to have sufficient certainty that the investigation of all the samples would be effected according to the same rules, full instructions were framed for the guidance of the investigators, with which they all bound themselves to comply."

Succeeding the above preliminary remarks comes a recital of the rules in accordance with which the inspections had to be and were made, and a full description of the labor performed by the investigators.

The investigations continued over a period of several months, during which eighteen hundred samples of American pork, bacon, and ham were thoroughly and closely examined and inspected, resulting in the discovery of trichinæ in thirty-three of the samples.

The report then closes as follows:

"The proofs that were taken have led to the following results, viz:

"With boiled pork, containing trichinæ, were fed: one young pig and two rats, all three with negative results.

"With raw American pork, containing trichinæ, taken from pieces sent to the investigators, were fed: two young pigs, one young rabbit, and four dogs of about two years old. A careful examination led to the conclusion that all these animals, killed at various periods, did not suffer, or had not suffered in any way from trichinous disease.

"Although the investigations and tests in a matter of this nature can never be sufficiently numerous to give claim to a scientific infallible conclusion, yet we consider that from the inquiry that has been held we may safely draw the following conclusions:

"Among the pieces of American pork there are many that are more or less infected with trichinæ. Nearly 2 per cent. of the pieces examined were trichinous.

"Notwithstanding the extensive consumption of American trichinous pork in the Netherlands, and more especially at Rotterdam, the trichinous disease has hitherto not been detected there. More than 6,000,000 kilograms of pork were imported from America in 1881 at Rotterdam alone.

"It is possible that the habit of the Dutch people of always either boiling or roasting the said meat may greatly contribute to this result. Yet it is probably not always boiled or roasted so long as to secure that the trichinæ in the innermost parts of a large piece are infallibly killed.

"Proofs taken with animals by feeding them with boiled and raw American trichinous pork have shown that it was eaten by them without any injurious effects.

"We have, therefore, every reason to presume that the strong pickling and smoking of the said meat has such an influence on the life of the trichinæ that during the many weeks or months that elapse between the slaughtering of the trichinous animals in America and the consumption of the meat in this country, they lose all vitality.

"It has not appeared that the salted and smoked pork, as it is brought into the market from America, exposes consumers in this country to any danger from trichinous disease.

"We propose, at a later period, to report to your excellency on the proofs that are still being taken.

"In conclusion we take the liberty to point to the expediency of causing an investigation to be instituted on an extensive scale as to the occurrence of trichinæ in native pigs, for which purpose a good opportunity will present itself as soon as the public slaughter-house at Rotterdam shall come into use."

SPAIN.

No. 121.

Mr. Fairchild to Mr. Blaine.

No. 176.] LEGATION OF THE UNITED STATES,
Madrid, July 16, 1881. (Received August 4.)

SIR: I have the honor to acknowledge the reception of your instruction No. 144, transmitting copies of the report recently made by an officer of the Department of State relative to the late rumors as to the alleged unhealthfulness of American pork.

In accordance with the instructions therein contained I have addressed a note upon the subject to the minister of state, and at the same time transmitted several copies of the report in question. A copy of my note is herewith inclosed.

As your instruction was very naturally based upon the supposition that the admission of American pork into Spain was still prohibited, it is necessary that I should make the following explanation:

When the question of the prohibition of American pork in France was occupying the attention of the Department and the legation at

Paris, General Noyes wrote to me asking to be informed as to what measures, if any, had been taken by the Spanish Government in regard to the entry of that article of our produce into Spain. I at once examined the question and found that the royal order of the 28th of February, 1880, prohibiting the admission of American pork into Spain had been annulled by royal order dated the 10th July, of the same year, and that that article would thereafter be admitted on complying with with certain conditions prescribed therein. A copy of this order was sent to General Noyes.

I regret exceedingly that the royal order of 10th July, above referred to, entirely escaped my notice at the time of its issuance and publication, thus preventing my sending, as I certainly should have done, a copy to the Department. I now send a copy and translation of it that you may the better see upon what conditions American pork is now permitted to enter Spain. Those conditions, I have no doubt, will appear to you as they do to me, just and proper, and to which no reasonable objection can be made by the dealers in and shippers of that important article of our produce, as it has always been their wish that the article should be subjected to the most severe inspection, knowing full well that it would more than stand the test and comparison with that of any other country.

I shall avail myself of every opportunity to give publicity to the report by distributing it among those interested.

I have, etc.,

LUCIUS FAIRCHILD.

[Inclosure 1 in No. 176.]

Mr. Fairchild to Minister of State.

MADRID, *July* 15, 1881.

EXCELLENCY: In view of the disastrous effects produced throughout Europe by the reports of the alleged unhealthfulness of American pork, shipped to foreign countries, an officer of the Department of State at Washington was recently detailed to make a most searching and impartial investigation concerning the truth or untruth of such reports.

The officer in question, after having visited the cities of Chicago and Cincinnati, the two great pork centers, and where are situated and in daily operation the largest pork-slaughtering establishments in the United States, has lately submitted the result of his impartial investigation to the Secretary of State in a report, copies of which I beg to hand your excellency herewith.

The report not only clearly and fully proves that there was not the slightest foundation for the alarming reports set afloat, but also as clearly shows how impossible it is, owing to the severe inspection to which the pork is subjected, whether alive or dead, for unhealthful pork to reach either the home or the foreign markets. For your excellency's further information, and for greater convenience, I beg to refer to the conclusions arrived at on page 14 of the report above mentioned.

I do not know how I can better illustrate to your excellency the entire good faith with which my Government ordered the inspection to be made, than by quoting the following paragraph from the instructions sent to me by the Secretary of State, in transmitting the report above referred to:

"This investigation was forced upon the Government by the disastrous effects produced abroad by those rumors, and by the action of several European Governments in stringently restricting or prohibiting the importation of swine products from this country. It was undertaken in the most impartial spirit and with full recognition of the weighty responsibility which would rest upon this Government should the prevalent rumors be substantiated. Had it been found that this great American industry was the means of disseminating disease and death abroad, no admission could have been too frank or prompt, and no repressive measures too urgent to vindicate our national good faith.

"As it is, the result goes beyond our most sanguine expectations in proving the baselessness of the statements which have unhappily wrought such injury upon one of our most widely spread and valuable branches of foreign commerce."

I may add that the information contained in the report herewith inclosed is only sent to your excellency to bear out the wise and just decision arrived at in the royal order of the 10th July, 1880, rescinding that of February 28, of the same year, and permitting the entry into Spain of pork and lard, proceeding from the United States, on certain conditions prescribed therein. This laudable action of His Catholic Majesty's Government can not be too highly commended.

I may also refer your excellency to the action of the Government of His Majesty the King of Belgium (on pages 15 and 16 of the report in question), which, disregarding the popular clamor and prejudice, and examining the question fairly upon its merits, reached some time since the conclusion, to which the Government of the United States is also irresistibly led, that of the widely-spread food staple of the world's commerce, none is grown, packed, and exported under conditions more calculated to assure safety and wholesomeness than the pork product of America.

I have inclosed to your excellency several copies of the report referred to, not doubting that your excellency will, in the interest of the dealers in and consumers of American pork in Spain, desire to give publicity to the facts therein contained.

I avail, etc.,

LUCIUS FAIRCHILD.

[Inclosure 2 in No. 176.—Translation.]

Minister of the Interior to Minister of Hacienda.

EXCELLENCY: An account having been given to His Majesty of the applications made by various merchants and industrials of Valladolid, Cartagena, Santander, and of Madrid, soliciting the derogation of the royal order of February 28, ultimo, which prohibited the introduction into Spain of pork and pork grease, proceeding from the United States of America and Germany, and the grounds upon which their petitions were based having been attentively examined; and whereas the observance of said royal degree has brought about a remarkable rise in the price of the alimentary substance above referred to; and whereas in the fusion (melting) of the greases no trichinæ are found to exist, and as it is easily recognized with the microscope in the lean parts of pork, as in other meats; and as the same examination when made of the greases obtained by pressure does not give the assurance that they are free from the said parasite; and

Considering that the rise experienced in the prices of pork and pork grease shows the insufficiency of the national production to meet public consumption, and deprives the poorer class of a most necessary food; and considering how difficult it is to avoid fraud, on account of the impossibility or proving the country of production when they come from non-prohibited places; and considering that a guarantee must be given to public health, without injuring the interests of commerce, His Majesty the King, having heard the opinion of the royal board of health, has deigned to decree as follows:

1. The royal order of 28th February, ultimo, which prohibits the introduction of pork and pork grease proceeding from the United States of America and Germany is annulled.

2. Only the prohibition regarding the greases coming from the United States which have not been obtained through melting will continue in force.

3. All meats which may be introduced shall be subjected to a scrupulous and microscopic inspection, and all that which contains trichinæ, or is injurious to health, shall be destroyed.

4. The inspection shall be made by a farrier of superior category appointed by the *gobernador* of the province, and paid by the importers in accordance with the following tariff.

5. The introduction of said meats and greases shall only be effected through the first-class customs.

6. The foregoing provisions will be applied to meats and greases already imported and pending clearance at the custom-houses.

By royal order I communicate this to your excellency for your information, and in order that the necessary orders to the above effect may be given by the ministry under your worthy charge.

God guard your excellency many years.

FRANCISCO ROMERO ROBLEDO.

MADRID, *July* 10, 1880.

Tariff for the payment of fees for the inspection of pork which may be imported from the United States of America and Germany: For each case containing from 80 to 100 hams, 2 pesetas; for each case containing from 250 to 300 shoulders, feet, legs, or tongues, 2 pesetas 50 centimes; for each case of bacon (containing muscular fiber) of from 20 to 30 pieces, 1 peseta 50 centimes.

Approved by me.

ROMERO.

MADRID, *July* 10, 1880.

No. 122.

Mr. Marston to Mr. Davis.

[Telegram.]

MALAGA, *February* 18, 1882.

No trichinæ found in American pork in Malaga as reported.

MARSTON,
Consul.

No. 123.

Mr. Marston to Mr. Davis.

No. 76.] UNITED STATES CONSULATE,
Malaga, Spain, February 14, 1883. (Received March 5.)

SIR: I have the honor to report the appearance in Malaga of the much dreaded trichinæ, and I herewith inclose copy of an official bulletin issued yesterday by the civil governor of the province, cautioning the public against the use of pork, ham, sausage, etc., and providing such preventives as will arrest the further spread of the malady. About twenty persons are now suffering from this affliction (seven in one house), and one person has died from its effects. From the investigation that I have made thus far, it appears that some of those who are afflicted have eaten *longaniza*, or sausage brought from Galena in the district of Seville, and it is claimed that one case has been traced to a person having eaten ham said to have been imported from the United States; but of this there is no certainty; in fact, I question whether any proof exists as to where the ham came from. I am investigating the subject, however, and will report the origin if possible.

The *longaniza* or sausage is made from raw fresh pork, and is intended to be cooked before being eaten. Therefore it is not possible that the pork used in making the sausage came from the United States, but is home production.

I am, &c.,

H. C. MARSTON,
Consul.

[Inclosure in 76.—Official bulletin extra of the province of Malaga.—Translation.]

CIVIL GOVERNMENT.

MALAGA, *February* 11, 1883.

The terrible malady which has caused such ravages in Germany and other countries, and which is known by the name of trichinosis, being caused by the presence of a microscopic parasite in the flesh of swine, has appeared at Malaga among persons who have eaten of that flesh, and more than twenty individuals are now affected with the disease.

The provincial board of health and the medical society have ascertained by microscopic analysis that sausages and pork sold in the market contain the germ of the disease.

In view of this fact, and having heard the opinion of the provincial board of health, I have resolved, among other measures, to warn the public of the great risk which attends the eating of pork in all its forms, unless it has been boiled or fried sufficiently to destroy the germ of the disease; for this purpose the pork or sausage should be cut or slit in many places, in order that the center may be exposed to a temperature ex-

ceeding at least seventy degrees Centigrade. It must be remembered that trichinæ are so tenacious of life that they are not destroyed by putrefaction, salting, smoking, or pickling. I have further ordered that all pork, lard, and sausages in Malaga shall be carefully examined by a scientific commission appointed for the purpose, and in order that the public may more easily enjoy the benefit thereof, the authorities have procured two microscopes, one at the slaughter-house, and the other in the market-place, where experts will be found ready to examine, by aid of the microscope, free of charge, all meats and sausages that may be presented to them.

TEODORO BARÓ,
Governor.

No. 124.

Mr. Marston to Mr. Davis.

No. 77.] UNITED STATES CONSULATE,
Malaga, Spain, February 19, 1883. (Received March 10.)

SIR: I have the honor to continue my report upon trichinæ in Malaga, which was the subject of my dispatch No. 76, under date of February 14, 1883. Since writing that dispatch I have obtained a copy of a telegram forwarded by the Governor of Malaga to the Spanish Government at Madrid. As the civil governor distinctly says in that dispatch that one person had acquired the malady through eating ham imported from America, I immediately addressed his excellency a communication, under date of the 15th instant, and his reply, dated the 17th instant, reached me on Sunday morning, the 18th instant. You will see that he now declares that *no proof exists* that any American ham or pork has been found affected with trichinæ. On receipt of the governor's letter, on the 18th instant, and knowing that the Society of Natural and Physical Sciences had made microscopic inspection of all meats in Malaga which the authorities had suspected, I addressed the president of that society, and received his official reply the same day.

Early Sunday morning, the 18th February, I was applied to for information upon the subject of trichinæ, by parties who had received telegrams from England, asking whether twenty persons had died in Malaga, as reported by telegraph from Madrid. This convinced me that the alarm was widespread and gravely detrimental to American interests, and I felt justified in telegraphing to your Department. Especially did I feel authorized so to do, with the official letter of the civil governor in my possession, as well as that of the president of the society, to whom all suspected meats had been referred. I also made it my business to see that answers to the telegrams from England were sent in accordance with the facts, although I fear that grave injury has resulted from the false reports in circulation, yet prompt denial will allay, to some extent, the excitement caused. Previous to the breaking out of the trichinæ in Malaga, every store where meats were sold had a large supply of American hams; whereas the day following the publication of the governor's report to Madrid not an American ham could be found in Malaga. They had all suddenly changed into English hams. There are now about twenty-five persons suffering from trichinosis in Malaga, and three have died.

Hoping this report will meet with your approval, I am, etc.,

H. C. MARSTON,
Consul.

[Inclosure 1 in No. 77.—Telegram.—Translation.]

Governor of Malaga to the Spanish Government.

Several cases of trichinosis have occurred at this capital, there being four persons in a single house who are affected with the disease, two of them dangerously so. Three, moreover, have symptoms of the disease, and in another house one. We have also learned that two other persons have been attacked. I at once convoked the board of health, and suitable measures have been adopted to check the disease. The cause of the sickness in the seven persons first referred to was the eating of sausages from Galena, in Cadiz, to the governor of which province I have reported by telegraph what has taken place; and the eighth was attacked in consequence of having eaten ham imported from America. The meat, upon examination with a microscope, by experts, was found to contain trichinæ.

[Inclosure 2 in No. 77.]

Mr. Marston to the Governor of Malaga.

UNITED STATES CONSULATE,
Malaga, February 15, 1883.

SIR: I have the honor to address your excellency upon the subject of the appearance of trichinæ in Malaga. May I beg, in pursuance of my duty as American consul at this place, that you will furnish me with whatever knowledge you possess, that the hams eaten by one or more of the sufferers was imported from the United States, as contained in the published dispatch sent by your excellency officially to Madrid?

I have, etc.,

H. C. MARSTON,
Consul.

[Inclosure 3 in No. 77.—Translation.]

The Governor of Malaga to Mr. Marston.

MALAGA, *February* 17, 1883.

SIR: I have the honor to reply to your polite communication of the 15th instant, and to inform you that I have reported to the Government that the cases of trichinosis that had occurred in this capital were due, according to intelligence received, to the eating of pork imported from the nation which you so worthily represent in this city. These reports were afterwards not confirmed, but it is certain that the pork which originated the cases in question was not the fresh meat of hogs slaughtered in this city. This is all I have to communicate in reply to your polite note.

God guard you for many years.

TEODORO BARO,
Civil Governor.

[Inclosure 4 in No. 77.]

Mr. Marston to the president of the Society of Natural and Physical Sciences.

UNITED STATES CONSULATE,
Malaga, February 18, 1883.

SIR: I have the honor to communicate with you upon the subject of trichinæ in Malaga. I understand that your society have examined all samples of ham, pork, *longaniza*, etc., which the authorities of Malaga have suspected as being affected with trichinæ. Have any trichinæ been detected in any hams or pork reported to have been imported from the United States? Your answer to this inquiry will greatly oblige, etc.,

H. C. MARSTON,
Consul.

[Inclosure 5 in No. 77.—Translation.]

Mr. Orneta to Mr. Marston.

SOCIETY OF PHYSICAL AND NATURAL SCIENCES OF MALAGA,
OLD COLLEGE OF SAN TELMO,
Malaga, February 18, 1883.

I have received your communication of this date, and I have the honor to inform you that *trichina spiralis* has been detected by this society in sausage of whose origin we are ignorant. In the other cases in which swine's flesh was examined we have as yet been unable to establish its existence.

May God preserve your life for many years.

DOMO DE ORNETA,
President.
A. PROLONGO,
Secretary.

No. 125.

Mr. Marston to Mr. Davis.

No. 78.] UNITED STATES CONSULATE,
Malaga, February 24, 1883. (Received March 13.)

SIR: I have the honor to continue my report upon trichinæ in Malaga, which was the subject of my dispatches Nos. 76 and 77. I was so indignant at the declaration that trichinæ had originated in American hams without any proof thereof that I induced the authorities here to make all possible efforts to trace the origin, happily with success, as you will see by the inclosed paragraph which appeared in this morning's paper. Happily we have a civil governor whose administration is an honorable and just one.

I am, etc.,

H. C. MARSTON,
Consul.

[Inclosure in No. 78.—Extract from Malaga newspaper.—Translation.]

It appears from a telegram received by the governor of Malaga from the governor of Seville that José Diaz, a sausage vender at Galena, brought to this city the sausage containing trichinæ, which has caused all the sickness and alarm here. Various examinations have been made of pork at Galena, in some of which trichinæ have been found. The pork thus affected has been burned, and the authorities have issued stringent orders with a view to preventing the spread of the disease; they have, moreover, reported the matter to the General Government.

No. 126.

Mr. Reed to Mr. Frelinghuysen.

No. 173.] LEGATION OF THE UNITED STATES,
Madrid, February, 28, 1883. (Received March 17.)

SIR: Some days since I saw in the Madrid papers that several cases of trichinosis had occurred at Malaga, some of which it was alleged had been caused by the eating of raw ham proceeding from the United States.

At about the same time I received a dispatch from Mr. Marston, our consul at Malaga, dated the 18th instant, informing me of his action in

the matter, and inclosing a copy of his telegram and of his dispatch upon the subject to the Department, dated the 14th instant.

In view of the very worthy and prompt action of Mr. Marston I did not deem it necessary for me to act here, but seeing in the papers of Saturday last that some of the persons attacked had died, and that the authorities at Malaga had under consideration the propriety of recommending the issuance of an order preventing the further importation of pork from the United States, and knowing how difficult it would be if the order was once issued to have it rescinded, I deemed it my duty to do what I properly could to prevent any such order from being issued. With this object in view I at once proceeded to the director general of health, etc. (under the direction of the ministry of gobernacion), and not finding the director general in, asked to see the next officer in charge. This gentleman received me very courteously, and after explaining the object of my visit, he advised me to write an unofficial note to the minister of gobernacion upon the subject assuring me at the same time that it would receive prompt attention. This I did on Monday the 26th instant, inclosing for his further information two copies of the report on "American pork," made by Mr. Scanlan in 1881, under the direction of the Department of State. I beg to inclose a copy and translation of my note.

Last evening I received the reply of the minister of gobernacion (a copy and translation of which I also beg to inclose herewith), expressing thanks for the copies of the report, and informing me that up to the present time it had not been decided to introduce any changes whatever in regard to the sanitary formalities established for the introduction into Spain of pork proceeding from the United States, and adding that he proposed to make a careful study of the report which I sent him.

I feel quite certain that no order will be issued preventing the further importation of American pork. I am strengthened in this belief by the reception to-day of another dispatch from Mr. Marston, dated the 24th instant, inclosing a copy of a paragraph taken that morning from a Malaga paper stating that it had been ascertained that the cases of trichinosis were caused by the eating of *longanizas* (a kind of sausage), prepared by one José Diaz, of Galena, and that the pork or meats in his possession in which trichinæ were found had been burned, and strict orders given to prevent a recurrence of the evil.

I shall continue, however, to keep a careful watch, and should I have occasion so to do will make every effort to prevent any action by the authorities here detrimental to the introduction into Spain of this important article of our produce.

In closing this dispatch I beg to strongly commend the course pursued by Mr. Marston.

I have, etc.,

DWIGHT T. REED.

[Inclosure 1 in No. 173.—Translation.]

Mr. Reed to the Minister of Gobernacion.

LEGATION OF THE UNITED STATES,
Madrid, February 26, 1883.

SIR: According to the newspapers it appears that there has lately occurred at Malaga several cases of trichinosis, some of which, it is alleged, were caused by eating ham imported from the United States, and that in consequence of this the authorities have under consideration the propriety of recommending the prohibition of further importation of pork, hams, &c., from that country.

In view of the above-mentioned statement I deem it my duty to inclose for your excellency's information two copies of a report giving the result of an investigation made in 1881, under the direction of the Department of State of the United States, in regard to American pork. The report explains very clearly how American swine is fattened, slaughtered, and prepared for the market, and how very impossible it is for the pork, hams, &c., to contain trichinæ.

While I know nothing in regard to the cases of trichinosis referred to, or of the intentions of the Government in regard to the matter further than what I have seen in the newspapers, my object in writing this note is to request, unofficially, your excellency's powerful aid in preventing the issuance of any order which would prohibit the importation into Spain of American pork, hams, &c.

Begging that your excellency will give the matter your early consideration, I avail, &c.

DWIGHT T. REED,
Chargé d'Affaires ad int.

[Inclosure 2 in No. 173.]

Mr. Gallou to Mr. Reed.

MINISTRY OF GOBERNACION,
February 27, 1883.

SIR: I have received with much pleasure your polite letter dated 26th instant, and the two pamphlets which accompanied it.

I give to you my best thanks for your kindness, and I am able to state to you that up to the present moment it has not been decided to introduce any change in the sanitary formalities established for the introduction of pork proceeding from the nation you so worthily represent in this court.

I propose to make a careful study of said report; and, renewing my thanks, I am, &c.,

PIO GALLOU.

No. 127.

Mr. Davis to Mr. Marston.

No. 41.]

DEPARTMENT OF STATE,
Washington, March 7, 1883.

SIR: I have to acknowledge the receipt of your dispatch No. 76, dated the 14th ultimo, reporting the appearance of trichinæ in sausage, pork, and ham at Malaga, which has seriously affected a number of consumers. In reply you are requested to keep the Department fully informed on the subject. Our experience elsewhere leads us to the conviction that the trichinæ are not to be attributed to the American products, but are usually the result of eating the native pork uncooked. There is as yet no reason to believe that a different result will be found in Malaga. Your further report is awaited with interest.

I am, &c.,

JOHN DAVIS,
Assistant Secretary.

No. 128.

Mr. Badeau to Mr. Davis.

[Telegram.]

HAVANA, *April* 5, 1883.

Authorities have to-day ordered all hog's lard coming from United States to Cuba to be examined before landing.

BADEAU.

No. 129.

Mr. Badeau to Mr. Davis.

No. 98.] CONSULATE-GENERAL OF THE UNITED STATES,
Havana, April 5, 1883. (Received April 10.)

SIR: I have the honor to forward herewith an order of the governor-general, with translation, dated April 1, but published this day, relative to the inspection of hog's lard coming from the United States.

I am, &c.,

ADAM BADEAU,
Consul-General.

[Inclosure in No. 98.—Translation.]

ORDER OF THE GOVERNOR-GENERAL.

GOVERNMENT-GENERAL OF THE ISLAND OF CUBA. BUREAU, HEALTH.

HAVANA, *April* 1, 1883.

On this date is communicated to the civil governor of the island the following:

In view of the statements made to this central government by the Spanish consul at New York in regard to the bad hygienic condition of a certain class of hog's lard, which, with different marks, is imported into this island from the United States of America, and in view also of the result of the analysis made by the subdelegate of pharmacy of this capital of the sample of said grease forwarded by the said consular officer, the governor-general, by decree of this date, has been pleased to order that the hog's lard of said origin, of every class of mark, arriving at the ports of this island, whether coming in tierces or any other wooden vessel whatsoever, shall be inspected by the boarding physicians before being conveyed to the respective custom-houses; and you are directed to order what is necessary, so that this duty may be performed with the celerity, exactness, and care which everything relative to the public health demands.

At the same time his excellency has ordered that upon the publication in the official bulletin of this province of the aforesaid result you recommend to the local authorities and board of health the greatest watchfulness over the establishments from which the above-mentioned articles issued, in order to prevent the sale of the same in improper condition for consumption for the food of families.

This order of his excellency is published in the Official Gazette for general information.

M. DIAZ DE LA QUINTANA.

No. 130.

Mr. Badeau to Mr. Davis.

No. 105.] CONSULATE-GENERAL OF THE UNITED STATES,
Havana, April 10, 1883. (Received April 17.)

SIR: Referring to my dispatches Nos. 98 and 101, of April 5 and 7, respectively, I have the honor to state that immediately upon the appearance of the order relative to the inspection of American hog's lard, of which a copy was forwarded with my No. 98, I addressed a communication to the governor-general, requesting a copy of the communication of the Spanish consul at New York, and of the report of the subdelegate of pharmacy of this city, or any other information on which the said order was based; but I received from his excellency a

reply declining to accede to my request, on the ground that the documents in question could be forwarded only to the Government of the King, *No puedo facilitarlos mas que al Gobierno de S. M. el Rey.*

I have, etc.,

ADAM BADEAU,
Consul-General.

No. 131.

Mr. Frelinghuysen to Mr. Reed.

No. 150.] DEPARTMENT OF STATE,
Washington, April 12, 1883.

SIR: Your No. 173 of the 25th of February last, in regard to the case of trichinosis at Malaga, which it was alleged was produced by eating American pork, and inclosing a copy of your note to the minister of gobernacion on the subject, and of his reply thereto, has been received.

It is probable that all the cases of alleged trichinosis from eating American pork, which are sporadically reported in Europe from time to time would, if properly examined, prove to be as groudless as in the present instance.

Your action is approved, although it is to borne in mind that it is irregular to correspond, even unofficially, with the branches of the Spanish Government other than the foreign office.

It is deemed proper that you should watch this matter carefully, and be prepared to address a note to the minister of state, immediately on the appearance of any agitation hostile to American pork in Spain.

Consul Marston's vigilance will be commended.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 132.

Mr. Davis to Mr. Badeau.

No. 40.] DEPARTMENT OF STATE,
Washington, April 18, 1883.

SIR: Your dispatch of the 5th instant, No. 98, has been received, inclosing a copy of the recent order of the governor-general of Cuba in relation to the inspection of hog's lard imported into Cuba from the United States.

The reason assigned for the promulgation of the order in question, as stated by the governor, is that he has received certain information from the Spanish consul at New York to the effect that lard of a bad quality and dangerous to the health of its consumers is shipped from the latter port to Havana and other ports in Cuba, and that the inspection and supervision over such shipments provided for by the order in question are rendered necessary in the interest of the public health. To an order or regulation inspired by such high public motives no objection can with propriety be opposed. The right of every Government to adopt such a precautionary measures for the safety of its subjects and the preservation of the public health is a sovereign prerogative which this Govern-

ment would be the last to question. It is only when in practice such a measure may be shown to be an international discrimination against citizens of the United States that these citizens would have a right to complain, and that this Government might feel it its duty to remonstrate. There are vast regions of North America outside the Territories of the United States where hog raising is prosecuted extensively, much of the lard product of which, it may be presumed, finds its way to Cuba, and which certainly would seek that market should lard from the United States be practically excluded. It is only deemed necessary at present to instruct you to observe closely and diligently the operation of the order and the practice under it, and to report to the Department without delay any case which, upon examination of the facts, you may be led to believe forms just grounds for complaint. It is believed, however, that impure lard is not exported from the United States, and it is not impossible that through a misunderstanding of trade classification the statements of the consul-general were based upon samples of "grease," which is always plainly marked, and can not be mistaken or used for lard. It is hoped that you will make further inquiries as to the reason for the order and as to the samples on which it was based, that the Department may be fully informed on the subject. A copy of a report made after an investigation of this subject in 1881, by order of this Department, is inclosed for your information.*

I am, etc.,

JOHN DAVIS,
Assistant Secretary.

No. 133.

Mr. Frelinghuysen to Mr. Reed.

No. 159.] DEPARTMENT OF STATE,
Washington, May 3, 1883.

SIR: I inclose a copy of an order (translation) of the governor-general of Cuba, of April 1, 1883, touching the inspection of hog's lard coming to that island from the United States, and of a telegram from our consul-general there, with regard to a later order, requiring the inspection to be made before landing. I also inclose a copy of Mr. Badeau's No. 105 on the subject.† The purpose of this instruction is to procure for communication to the consul-general copies of the papers mentioned in dispatch No. 105, not obtainable from the local government.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 134.

Mr. Marston to Mr. Davis.

No. 86.] UNITED STATES CONSULATE,
Malaga, May 9, 1883. (Received May 29).

SIR: I have the honor to communicate again with your Department upon the subject of trichinæ found in a shoulder of bacon on the 11th ultimo, in Malaga.

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* See House Ex. Doc. 209, Forty-seventh Congress, first session, page 179.
† See *ante* for inclosures in this instruction.

I investigated the case at the time, but I have awaited the official report, which only reached me on yesterday, from the president of the Society of Natural and Physical Sciences in this city, to whom the whole case was referred for examination and report. This bacon has been traced as coming from Manchester, England, and the English consul in Malaga has forwarded also a copy of the inclosed communication to the British foreign office. The results, if any, I will communicate forthwith. Fortunately this piece of bacon was sent for examination to the society before any one had eaten of it.

I am, etc.,

H. C. MARSTON,
United States Consul.

[Inclosure in No. 86.—Translation.]

Report of the president of the Society of Natural and Physical Sciences.

SOCIETY OF NATURAL AND PHYSICAL SCIENCES OF MALAGA,
OLD COLLEGE OF SAN TELMO,
Malaga, May 6, 1883.

As I am aware of the interest which you have taken in the trichinæ case in Malaga, especially since the existence of trichinæ was discovered in a ham by this society, I have the honor to lay before you a report which I have received from the first alcalde of this capital, in reply to my communications, which report is as follows:

"As soon as I received your esteemed communication of the 11th instant, informing me that the ham presented for inspection by Don José Aleanza to the society over which you so worthily preside, contained encysted trichinæ, I ordered that measures should be taken to discover the origin of said ham, and that the hams in the establishment from which it was procured should be seized for inspection.

"So efficient were the steps taken by the board of health in pursuance of my instructions, that it was proved that the ham in question had been sold at the fresh and salt meat market of Don Antonio Baro Guerrero, No. 17, Five Ball alley. Mr. Guerrero was summoned to appear before me, and the following instrument was drawn up: In the city of Malaga, on the 12th day of April, one thousand eight hundred and eighty-three, it being about 3 o'clock in the afternoon, Don Antonio Baro Guerrero, having been duly summoned, appeared before the constitutional alcalde of this city, the said Guerrero being an inhabitant of this city, residing at No. 17 Five Ball alley, where he keeps an establishment for the sale of fresh and salt meat, and being requested to state whether it was true that the ham presented by Don José Aleanza for inspection to the Academy of Physical and Natural Sciences was bought by the said Aleanza at his establishment, he said that the ham in question was, indeed, purchased by Mr. Aleanza at his establishment, it having been one of a lot which he had received on the 6th of February last from the firm of Leverhus, Husk & Co., of Manchester, by the steamer *Manuela*, of which he produced the invoice and bill of lading.

"The invoice having been examined, he was requested to explain the difference between the 492 kilograms named in the invoice and the 60 or 80 kilograms which were approximately the weight of the five hams seized by the commission at his aforesaid establishment; whereupon he said that the difference was owing to the fact that he had sold these hams to various unknown persons, but that he had thus far heard of no accident resulting from the consumption therof. No further proceedings took place, and the parties concerned signed their names, to which I, the secretary, certify. Carlos Davila, L. Castilla, Anto. Baro, José Ma. Lopes. I communicate to you the foregoing for your information and in reply to your communication of the 17th instant, and I must, at the same time, inform you that, according to a communication received from the president of the board of health, of the 18th instant, the four remaining hams which were found belonging to the lot in which Mr. Baro received the ham sold to Don José Aleaza were carefully examined with the aid of a microscope by Drs. Inocente Martinez and Candido Solas, and that nothing was found in them indicating the existence of trichinæ, in consequence of which the aforesaid gentlemen being fully satisfied of their wholesome character, they were returned to their owner."

I have the honor to communicate to you the foregoing for your information.

God guard you many years.

DOMO. DE ORNETA,
President.

No. 135.

Mr. Badeau to Mr. Davis.

No. 147.] CONSULATE-GENERAL OF THE UNITED STATES,
Havana, May 25, 1883. (Received May 31.)

SIR: Referring to your dispatch of April 18th instant, I have the honor to report that immediately upon its receipt I addressed the governor-general in compliance with your orders, making further inquiries as to reason for his order relative to the inspection of hog's lard imported into Cuba from the United States, and have this day received a reply, a copy of which, with translation is inclosed.

I am, &c.,

ADAM BADEAU.
Consul-General.

[Inclosure with dispatch No. 147.—Translation.]

Letter from governor-general of Havana to Consul-General Badeau.

In answer to your honor's official letter of last month relative to the motives on which the order for the inspection of lard imported into this island from the United States is based, I have the honor to inform your honor, by order of his excellency the governor-general, that in the circular decree of this Government, dated 1st of April ultimo, published in the Official Gazette of the 4th of said month, the reasons for ordering said inspection are clearly expressed; and nothing has since occurred in the matter worthy of mention; informing your honor that if the Government of the United States wishes to become thoroughly acquainted with the particulars relative to the inspection of lard, it can, if thought convenient, address itself to his excellency the Spanish minister at Washington, who has detailed information of what in substance is declared in the aforesaid circular of April 1.

All of which, by his excellency's orders, I have the honor to communicate to your honor for your information.

May God preserve your honor many years.

Havana, May 19, 1883.

M. DIAZ DE LA QUINTANA.

No. 136.

Mr. Marston to Mr. Davis.

No. 88.] UNITED STATES CONSULATE,
Malaga, Spain, June 8, 1883. (Received June 26.)

SIR: I have now the honor to further communicate with your Department upon the subject of my dispatch No. 86, under date of May 9 last.

In reply to the report made at the time by Her Britannic Majesty's consul here, the British foreign office has now forwarded to that office a communication from the firm in Manchester who purchased the "shoulder" in question and shipped it to Malaga.

It is obviously a very obscure report, not shedding much light upon the origin of the meat, "Higgins, the curer in America," being about as authentic as Jones or Smith would be.

I am, &c.,

H. C. MARSTON,
United States Consul.

[Inclosure in No. 88.]

Leverhus, Husk & Co., to the clerk of the council, veterinary department.

1 AND 3 LEMINGTON PLACE,
Princess street, Manchester, May 17, 1883.

SIR: In reply to your inquiry [of the] 16th instant, we beg to say that the shoulders in question were bought by us as sound meat in Liverpool, through our brokers, as "American" shoulders, and the boxes were branded with the name of Higgins, which we believe is a curer in America.

LEVERHUS, HUSK & CO.

No. 137.

Mr. Frelinghuysen to Mr. Barca.

DEPARTMENT OF STATE,
Washington, June 14, 1883.

SIR: I have the honor to inclose a copy of an instruction (No. 40) of this department to Consul-General Badeau, at Havana, touching an order of the governor-general of Cuba, in relation to the inspection of hog's lard imported from this country into that island, also a copy of the governor-general's note of May 19 last in the case.* Asking that you will kindly give me such information as you can as to the necessity of this inspection,

I beg, etc., FRED'K T. FRELINGHUYSEN.

No. 138.

Mr. Barca to Mr. Frelinghuysen.

LEGATION OF SPAIN AT WASHINGTON,
Washington, June 20, 1883. (Received June 21.)

The undersigned, envoy extraordinary and minister plenipotentiary of His Majesty the King of Spain, has had the honor to receive the note of the 14th instant, whereby the honorable Secretary of State, in transmitting to him a copy of the instruction (No. 40) sent to Mr. Badeau, United States consul-general at Havana, relative to the order issued by the governor-general of Cuba, for the examination of hog's lard imported from the United States, and of the note of the aforesaid governor-general of the 19th ultimo, relative to the same matter, was pleased to ask him for information concerning the causes which had rendered such an examination necessary.

The undersigned hastens to inform the honorable Secretary of State that the measure in question was adopted because a number of American citizens, merchants in good standing, had made complaint to the consul-general of Spain in New York that a certain house was exporting adulterated lard which was injurious to health to the island of Cuba, and that honest dealers were unable to compete with the shippers of that article. An order was consequently issued that samples of the lard complained of should be examined by competent experts, which examination showed that the said lard did, indeed, contain ingredients in-

* See *ante* for inclosures in this note.

jurious to public health. The governor-general, therefore, in the exercise of his rights and in the fulfillment of his duty, ordered that hogs' lard from the United States should be inspected.

The undersigned takes pleasure in informing the honorable Secretary of State that the adoption of the measure in question implies no intention to establish any discrimination between goods from the United States and those of any other friendly nation, nor any intention to establish discriminating measures calculated to check the development of commerce between the United States and Cuba. The object of the captain-general of Cuba in issuing the order which gave rise to the complaint of the American consul-general was, to the knowledge of the undersigned, to take such precautions as are required by a due regard for public health in a tropical country during the summer months, and to protect honest merchants in accordance with their own request.

The undersigned, hoping that the foregoing explanations will fully satisfy the honorable Secretary of State, avails, etc.,

FRANCISCO BARCA.

No. 139.

Mr. Frelinghuysen to Mr. Barca.

DEPARTMENT OF STATE,
Washington, July 29, 1883.

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant, apprising the Department of the fact that the late order of the governor-general of Cuba touching inspection there of hog's lard from the United States originated in a complaint to the consul-general of Spain at New York from certain American merchants that a certain house was exporting adulterated lard and that honest dealers were unable to compete with the shippers of that article.

Thanking you for your very kind reply to the inquiry of the Department of the 14th instant,

I beg, &c.,

FRED'K T. FRELINGHUYSEN.

No. 140.

Mr. Foster to Mr. Frelinghuysen.

No. 40.] LEGATION OF THE UNITED STATES,
Madrid, July 23, 1883. (Received August 9.)

Sir: On the 19th instant the newspapers of this capital announced that on account of the appearance of cases of trichinosis at Malaga the Spanish Government had, upon the advice of the royal board of health decided to prohibit the importation of American and German pork products.

On the same day I called upon the minister of state and asked him if he could give me any information as to the correctness of this report. He answered that he had heard nothing of it, but recommended me to call upon his colleague, the minister of the interior (*gobernacion*), which I did on the same day. In the absence of that minister the subsecre-

tary received me, who, in reply to my inquiries, stated that the royal board of health had recommended the prohibition referred to, but the minister of the interior had decided that it was only necessary to enjoin the enforcement of the royal order of July 10, 1880, which prescribed an inspection of pork and lard proceeding from the United States and Germany, and their destruction when found to contain trichinæ. A copy and translation of the royal order of July 10, 1880, was sent to the Department with Mr. Fairchild's No. 176, of July 16, 1881.

I improved the opportunity of my visit to explain somewhat in detail to the subsecretary and to the chief of the sanitary bureau who was present, the results of the investigations made under the direction of the Department of State as contained in Mr. Scanlan's report of 1881 (a copy of which had been left at the ministry by Mr. Reed some months ago), and the importance of this industry to our country. I was assured that the exclusion of American pork was not contemplated by that ministry, but only a reasonable inspection in view of the reported appearance of the disease at Malaga.

You will see by reference to Mr. Reed's dispatch, No. 173, of February 28th last, that a similar report affecting American pork was started at Malaga at that time, but upon investigation it was found that the disease did not originate from the use of pork proceeding from the United States, but from Spain itself. Information will be asked of the consul as to the cause of the recent alarm, and his report will be sent to you.

In view of the fact that telegrams from Madrid have appeared in the European press giving a false report of the action of the Spanish Government, I deemed it proper in the interest of our exporters to send you a telegram this morning, as follows:

Importation of American pork not prohibited in Spain as telegraphed to foreign press. Only inspection required as reported in Fairchild's number one seventy-six.

I am, etc.,

J. W. FOSTER.

No. 141.

Mr. Foster to Mr. Frelinghuysen.

No. 43.]

LEGATION OF THE UNITED STATES,
Madrid, July 23, 1883. (Received August 9.)

SIR: Referring to your instruction No. 159, of May 3 last, to Mr. Reed, and his dispatch No. 235, of June 5, relative to lard or pork inspection in Cuba, I now transmit a further note from the minister of state, dated the 19th ultimo, in which he says that information has been asked of the governor-general of Cuba, with the object of communicating the same to this legation, but the minister adds that the measure adopted by the governor-general was in accordance with precautions telegraphed on the 25th of February last by the ministry of ultramar.

In acknowledging receipt of the minister's note on the 21st ultimo, I suggested that you would be gratified to be informed of the reports or information which led to the action of the ministry of ultramar, and the character of the instructions given to the authorities of Cuba.

A translation of the minister's note and a copy of my reply are herewith inclosed. I have delayed their transmission to date in the hope that I might receive a further reply touching the information suggested in my note of the 21st ultimo, but it has not come to hand.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 1 in No. 43—Translation.]

Minister of State to Mr. Foster.

MINISTRY OF STATE,
Palace, June 19, 1883.

MY DEAR SIR: In addition to the note to the legation, dated the 1st instant, relative to the documents and other information in regard to the sanitary inspection ordered by the superior authority of the island of Cuba, in all the ports of that island, of pork products (*cecina*) producing from the United States, I have the honor to inform your excellency that before the request referred to may be sent to the respective customs authorities, antecedents have been asked of the governor-general of said island in order to furnish your excellency with the desired information, although I must state that the measure adopted by the governor-general of Cuba in the matter was in accordance with precautions telegraphed on the 25th February last, by the minister of ultramar, to guard against the propagation of trichinæ in pork and lard.

I improve, etc.

The Marquis DE LA VEGA DE ARMIJO.

[Inclosure 2 in No. 43.]

Mr. Foster to Minister of State.

LEGATION OF THE UNITED STATES,
Madrid, June 21, 1883.

EXCELLENCY: I beg to thank your excellency for the note of the 19th instant, by which I am informed that the antecedents of the order regarding pork proceeding from the United States have been asked of the governor-general of Cuba, in order that your excellency may more fully reply to the note of this legation of the 28th May last.

As it would seem, from your excellency's note above referred to, that the measure adopted by the governor-general of Cuba was in accordance with precautions telegraphed on the 25th February last by the ministry of ultramar, I venture to suggest to your excellency that my Government would be highly gratified to be informed of any of the reports, investigations, or information which led to the action of the ministry of ultramar February 25, and the character of the instructions given to the authorities of Cuba, so far as it may be deemed proper by His Catholic Majesty's Government to communicate the information desired.

I gladly avail, etc.,

JOHN W. FOSTER.

No. 142.

Mr. Foster to Mr. Frelinghuysen.

No. 89.] LEGATION OF THE UNITED STATES,
Madrid, October 23, 1883. (Received November 7.)

SIR: Referring to the note of the Spanish minister of state of June 19 last, on the subject of hog's lard, transmitted with my No. 43 of July 23, I now inclose a further note of the 10th instant, from the minister, in which he communicates the reasons of the governor-general of

Cuba for the adoption of the order for the inspection of lard proceeding from the United States. These reasons, it will be seen, are based upon the alleged adulteration of certain named brands of American manufacture.

I am, etc.,

JOHN W. FOSTER.

[Inclosure in No. 89.—Translation.]

The Minister of State to Mr. Foster.

MINISTRY OF STATE,
Palace, October 10, 1883.

EXCELLENCY: In answer to the notes from your legation, dated the 28th of May and 21st of June, last, I had the honor to state to your excellency that information had been asked of the governor-general of Cuba concerning the measures adopted for the inspection and examination of hog's lard coming from the United States.

The said authority has recently informed His Majesty's Government to the effect that hog's lard, marked "Corona," "Irving," "Pavo-real," and "Rosedale," imported to that island, proceeding from the United States, was condemned as injurious to the public health; therefore ordering, as was his duty, that the dispatch of the article mentioned should be suspended in the custom-house until the result of the expert examination which had been ordered to take place should be known.

This having taken place, it appeared that although the aforementioned hog's lard could not be proved notoriously injurious to the health, it was nevertheless an impure and adulterated article, without qualities for sustenance, for which cause the governor-general of Cuba ordered, on the 1st of April, the previous inspection of all lard arriving at the ports of the island proceeding from the United States, which should come in tierces or any other wooden packages, and from this arose the remonstrance of the consul-general of the United States to the aforesaid superior authority, asking for a copy of the accusation and the expert report, to which the governor-general did not think he ought to accede.

The latter adds finally that the examination directed by the order of the 1st of April does not extend to all the lard (*cecina*) which is imported, but only to the lard of American production which comes in wooden packages.

In informing your excellency of the foregoing,

I avail, &c.,

The Marquis DE LA VEGA DE ARMIJO.

SWEDEN AND NORWAY.

No. 143.

Mr. Gade to Mr. Davis.

No. 309.] UNITED STATES CONSULATE,
Christiania, March 3, 1882. (Received March 29.)

SIR: For more than a year no complaints have been heard in this country concerning diseased pork imported from America. The boards of health in the cities continue to examine the pork imported from abroad, but it is evident that only a partial examination of each lot can be made, and that the prescribed examaination is largely a matter of form. On the other hand, some time since trichinæ were found in this district in pork raised in Norway, and several persons were seriously ill from eating it.

Large quantities of American salt meat have, for a number of years, been imported into this country for the use of the mercantile marine, and up to this time there has been general satisfaction with this article.

However, I now see that the board of health in Moss, one our neighboring towns, has lately seized a lot of spoiled American salt meat, and lots of similar quality are said to be reported from other places in this country. The attention of ship-owners is therefore directed to the necessity of closely examining every barrel of American meat. The meat in question, which was sold in America as a prime article, was imported by a firm at this port and seems to have been already refused by dealers at another port before being shipped to Moss.

As most of the American meat imported here arrives over England and other countries, I can not give statistical figures showing the quantities imported from America. But lately it has largely replaced Danish meat, which was formerly in use on the many hundred Norwegian vessels which every spring leave these ports, and it will probably continue in great demand here if the American producers export a sound and wholesome article.

I am, &c.,

GERHARD GADE,
United States Consul.

No. 144.

Mr. Gade to Mr. Davis.

No. 313.] UNITED STATES CONSULATE,
Christiania, April 12, 1882. (Received May 1.)

SIR: Referring to my dispatch No. 309, dated March 3, this year, relating to spoiled American meat imported into this district, I have now the honor to report that I am informed that the meat in question was packed at Kansas City, Mo., by a firm which exports largely of that article.

The importer of the spoiled meat has had a legal survey held of it here and had it also examined by the chemical expert of the police chambers of this city. I beg leave to give subjoined a part of the testimony of the said expert:

> The exterior of the meat examined was found to be fresh, not only in appearance, but in odor, while the interior was found to be more or less damaged, on the inside, in some places so much that the meat formed a slime, which emited a horrible, rotten stink. The reason why, in the very same piece, the outer part was fresh, while the inner was spoiled, is probably to be ascribed to the circumstance, that the pieces were not immersed in the brine immediately after slaughtering, but were previously only "sprinkled with salt," which did not penetrate in sufficient quantity or with sufficient rapidity into the larger pieces to prevent their spoiling.

The expert adds:

> As the brine was fresh and sufficient, the damage can in no case whatever result from the treatment of the meat after it was sent from the packing house.

I am, etc.,

GERHARD GADE,
United States Consul.

SWITZERLAND.

No. 145.

Mr. Byers to Mr. Davis.

No. 285.| UNITED STATES CONSULATE,
Zurich, March 24, 1882. (Received April 2.)

SIR: In my dispatch No. 259* I had the honor to report that the very stringent regulations of this canton as to American meat importations were, as I was informed by the authorities, to be considered as partially suspended. In that dispatch I added, however, that on the least provocation the fright as to American hams would be renewed and the regulations enforced with greater vigor than ever.

A provocation was discovered in the early autumn. Certain hams were imported here from Germany, containing trichinæ. They had been advertised, invoiced, and paid for as "first-class Wesphalian hams" by a firm claiming to deal in the finest Wesphalian hams only. The damaging discovery of trichnæ was no sooner made than certain of the officials, with a part of the press and the native butchers, asserted that the hams were not German but American.

The regulations were enforced again stronger than ever, and in a way that became equivalent to prohibition entirely.

I undertook to point out to the authorities the injustice of the proceeding, and submitted to them numerous reports and results of investigations, both in France and the United States, tending to show the extreme futility of microscopic examinations to protect against existence of trichinæ. I further showed by indisputable evidence that a single case of trichinosis from use of American hams had not yet been discovered in Switzerland. I at the same time had a private examination of the meat that had been seized and an investigation as to its origin. The result was trichinæ were found in abundance, but there was no proof whatever that the hams came from America. On the contrary, there was and is every reason for supposing that the hams were what they were represented to be, viz, "first-class Westphalian hams." It is true, the seller, in his fright, and in his vain desire to get out of the difficulty, pretended that he had been cheating the public, and that these special hams were, after all, American ones pared down and smoked over to resemble the Westphalian. There was, however, no proof of the truth of this afterthought statement; besides, in his invoice, advertisement and letters accompanying invoice (all in my possession), he distinctly declares these hams to be Westphalian.

After my repeated and earnest protests, the authorities at last appointed a special commission to investigate the whole subject of importation of meats, microscopic examination of meats, etc. The result of this investigation is the public circular order of the Government which I inclose.

This order points out the uselessness of microscopic investigations of American or other meats, and fully rescinds the objectionable regulations of 1878, and does wholly away with police examinations of any kind, thus making it possible to import American hams into a city and canton where former regulations had well-nigh destroyed the market.

I am, etc.,

S. H. M. BYERS, *Consul.*

[Incloses circular of the cantonal government, March 11, 1882, in German.]

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* Printed on page 174, House Ex. Doc. 209, 47th Cong., 1st session.

No. 146.

Mr. Mason to Mr Davis.

No. 146.] UNITED STATES CONSULATE,
Basle, September 25, 1883. (Received October 8.)

SIR: I have the honor to submit herewith a report on the present condition of the importation and traffic in American salted and cured pork in Switzerland, with some allusion to the general aspect of the same question in relation to neighboring European countries.

The fact that the Department of State is reported in printed dispatches as being about to institute an investigation of the conditions of hog-raising and pork-packing in the United States has invested the vexed question of meat imports with new and extraordinary interest, and the inclosed report is respectfully submitted, in the hope that it may be found pertinent to a subject of renewed importance.

It is stated in this report that Germany prohibits the transit of American hog products through the territory of that empire, even when such merchandise is consigned to importers in other countries. In proof of this statement I hereby inclose one original letter and two telegrams, with translations, all of which are addressed to Messrs. Jenny & Kiebiger, meat importers of this city. The telegram, which is official, shows that a shipment of American lard from Antwerp to Basle was stopped at Aix-la-Chapelle, the German frontier, and had to be returned to Antwerp and shipped to Switzerland by a longer route, through France and Belgium. This inexcusable mandate of the German Government is still in force.

Messrs. Fiechter Bros., of Antwerp, to Messrs. Jenny & Kiebiger, of Basle.

FIECHTER BROS., COMMISSION SHIPMENTS, &C.,
Antwerp, May 12, 1883.

We have the honor to inform you that per York City 40 cases of pork meat arrived for your firm, marked J. K. Thirty-six cases, 10,229 kilograms, have been sent to you in railway wagon No. 61,974, *via* Cethur, to be delivered to you at the Badisch railway depot. The remaining four cases shall be sent with our merchandises combined. You will receive the note of our expenses through the branch office of our firm at Basle.

It was impossible for us to have this shipment directed *via* Sarrachen, *the German authorities since recent date prohibiting even the passing through of American meats.*

With high consideration,

FIECHTER BROTHERS.

[Official telegram of service No. 505.]

AIX-LA-CHAPELLE, *June* 25, 1883—8.15 a. m.

To R. and A. FLEBUS, *Antwerp*:

American lard can not pass through Germany.

CHET.

[Telegram No. 549]

ANTWERP, *June* 25, 1883—6.15 p. m. (Received at Basle, 8.2.)

JENNY, *Basle*:

Passing through over German territory prohibited. Send at once instructions.

FLEBUS.

No recent announcement from America has been received in Europe with more general satisfaction than the published report that the Department of State would appoint a commission to investigate thoroughly and report authoritatively upon all the conditions of hog-raising in the United States, and the preparation of the various forms of pork for export.

It is inferred that this action is the first step in a definite policy of resistance to the causeless and wholly unjustified proscription that now

excludes a leading American product from the markets of several European countries which seek by every means to develop and increase the export of their manufactured merchandise to the United States.

The time has long been past when any intelligent person in Europe or America could be deceived by the transparent pretense that American cured meats are impure or more dangerous to health by reason of trichinæ than the best salted and smoked meats of Germany or Austria. No European statesman or journalist, who discusses the question candidly, now denies that the pretended horror of trichinæ is merely a diplomatic display of solicitude for the health of the people, to mask the real economic motive which underlies all these edicts of prohibition.

Were it not true that the importation of American meats, at a normal stage of the market, brings the retail price of a favorite article of food within reach of many thousands of working people who could not otherwise afford such a luxury, and thereby not only makes a serious competition for the European butchers and hog-raisers, but diverts a large and constantly increasing outflow of money to the United States, it would never have been discovered by the economists of Paris, Berlin, and Vienna, that American pork was dangerous or impure.

If European statesmen would say frankly that American meats, being for obvious reasons much cheaper than the European and equally good, would in time destroy or seriously injure the prosperity of their home farmers and meat-venders, and that *therefore* they felt obliged to impose an impost duty upon foreign meats that should balance the unequal cost of production, that would be open, fair, and in accordance with recognized principles of international commerce. But they dare not do this. They shrink from the clamor which would meet any such avowed measure to tax the food of the people. So they invent a theory that American meats are diseased and dangerous, and impose their prohibitory tariff in the form of an edict of absolute prohibition, based upon sanitary grounds. The peasant and artisan are thereby made to pay from 15 to 20 centimes more per pound for the little meat which they eat than they would if American pork were admitted freely, but they are told that this discreet mandate which robs their pockets has been wisely devised by a paternal Government which is anxiously solicitous about their health. Hence the many-sided meat question. But while Germany is carrying her prohibitory policy to the absurd length of forbidding American meats, and even lard, to be carried across her territory by rail in cars sealed in Antwerp for delivery in Switzerland, it is also true that in this country the reputation of those meats and the public demand for them are higher and greater than ever before. From the first agitation of the subject in the winter of 1881–'82, Switzerland has taken an intelligent and well-considered course in respect to the meat *question*. When France suddenly issued a prohibitory decree because a *family* at Crespy, in Valois, had been attacked by trichinosis after eating the raw flesh of a newly-killed pig, the Swiss Government appointed an able and deliberate sanitary commission to ascertain whether any person in Switzerland had ever suffered in like manner from having eaten salted meat imported from the United States. Finding no such instance on record, and having a large working population living upon limited earnings, the Swiss federal Government issued an official circular to all its cantons, reminding them that all pork should be properly cooked before being eaten, and then welcomed to its markets the transatlantic hams and bacon which were excluded by its more powerful neighbors.

While the official investigation is in progress in the United States, the fact deserves to be widely known that here in Switzerland, which is almost the only continental country in which American meats are permitted to be imported and sold on their merits, their reputation is not only higher now than ever before, but they command a preference in this market over similar classes of meats from every other country. Among the many and perfectly palpable proofs of this may be added the experience of a large meat-importing firm in Basle, which supplies not less than fifteen hundred retail dealers in Central Europe.

Three years ago this firm imported large quantities of hams, bacon, lard, and mess pork from the United States. American lard had already a reputation as the best in the market, and that was sold under its proper geographical designation; but the meats, in consequence of what was then a vague and indefinite prejudice, were sold as being of German or Swiss origin. No little trouble and expense were assumed by this firm to maintain the delusion that their meats were all from European sources.

The short corn crop of 1881, and the advance of the prices of hog products in the American market during 1882, made importations from the United States unprofitable, and these Swiss importers were obliged to draw their supplies from Austria. Their customers complained of the deterioration in their goods, which they found, in respect to curing and general excellence, decidedly inferior to those of the preceding year. It was explained to them that the meats which they were now buying and selling were really European, while those of 1881 had been of American origin.

The bountiful corn crop of 1882, and its effects upon the American meat supply, brought the hams and bacon and mess pork from Chicago, St. Louis, Cincinnati, and New York again within the exporting price limits, and to-day the Basle importers have an unprecedented trade, and almost exclusively in American meats. They report that during the period of this controversy about trichinæ and impure meats an extraordinary improvement has taken place in the curing and packing of all grades of meats exported to Europe from the United States. In this respect there was very little to complain of before, but since the quality of their wares has been challenged the American packers have, with characteristic spirit and unanimity, improved their methods and increased their precautions until their product is as a whole unequaled in quality by that of any other country.

The name "American," as applied to this class of provisions, has become, instead of a reproach, its highest recommendation, wherever the facts are known.

I have personally conversed with retail dealers from Aargau and other interior cantons, who say that their trade demands meats cured by the present American method, and that, excepting a limited quantity of the very high-priced Westphalian hams, they can hardly sell any other.

While, therefore, the economic policy of several leading European countries has nominally excluded the hog products of the United States from these markets, the reputation of these products has steadily improved. Considerable quantities of these provisions have, of course, been brought from New York and Boston to Great Britain, and, after repacking to conceal their origin, have been shipped to continental ports. Meat dealers everywhere know the superior merits of American meats, if the statesmen who make laws for them do not. The pending official investigation will, it may be presumed, settle conclusively all

the real facts in respect to this question which may be considered as yet in dispute. If the result of that measure should be the lifting of an embargo which has no motive but selfishness, no justification but prejudice, the result would be an immediate expansion of the European demand for American meats to the extreme limit of the supply. Not only can marketable swine be raised more cheaply in the Western States of America than in European countries, but, for the reason that they are more cleanly and naturally fed, and their flesh more skillfully cured, American meats will command, and must in the end supply, the principal markets of the world.

FRANK H. MASON,
Consul.

TURKEY.

No. 147.

Mr. Wallace to Mr. Frelinghuysen.

No. 96.] LEGATION OF THE UNITED STATES,
Constantinople, June 6, 1882. (Received June 26.)

SIR: A note verbal came to the legation under date of 3d June, containing a sweeping interdiction against salted meats from America, including lards. There is not much direct importation of the prohibited articles; wherefore, besides that reflection, there is consolation in the facts that nearly, if not quite, nine-tenths of the salted meats consumed in Turkey will continue to be the American product under some foreign brand, and that whether first marketed in France, England, or Germany, the original dealer is not likely to be deprived of his profits by proclamations such as is here inclosed and translated.

Construing the circular as one more to the several blows recently aimed at American products in this region, it seemed best to notice it with an immediate protest, a copy of which is also inclosed.

Very respectfully, &c.,

LEW. WALLACE.

[Inclosure 1 in No. 96.—Translation.]

Said Pasha to Mr. Wallace.

SUBLIME PORTE, MINISTRY OF FOREIGN AFFAIRS,
June 3, 1882.

Circular. Note verbal.]

The ministry of foreign affairs has the honor to inform the legation of the United States of America that the measure of interdiction which strikes the introduction of salted pork meats from America is also extended to the ham and lard of the same source, no matter by what way these articles are imported in Turkey.

The imperial ministry begs of the legation of the United States of America to kindly bring what precedes to the knowledge of his citizens.

[Inclosure 2 in No. 96.]

Mr. Wallace to Said Pasha.

UNITED STATES LEGATION,
Constantinople, June 5, 1882.

EXCELLENCY: I beg to acknowledge receipt of the note verbal from the Sublime Porte, dated June 3 instant, in which you have been pleased to inform me that the measure of interdiction against the introduction of salted meats from America is extended to hams and lard, regardless of the form of their importation into Turkey.

Your excellency will pardon an expression of surprise at the action thus indicated, announced, as it is, without a reason given. If reference is had to the treaty between the powers, it appears to me arbitrary in the highest degree. While it continues in its present form it can not but be construed as a discrimination against an important article of American manufacture, and peculiarly in violation of treaty rights, for which reasons it is my duty to earnestly protest against its execution. At the same time to open a way to an accommodation of the points presented, I will esteem it a favor if you will give me the reasons which have induced the Porte to resolve upon the interdiction, and give them to me before execution of the measure is entered upon.

Not impossibly the operative causes may be explained away.

I avail myself, etc.,

LEW. WALLACE.

No. 148.

Mr. Frelinghuysen to Mr. Wallace.

No. 68.] DEPARTMENT OF STATE,
Washington, June 29, 1882.

SIR: Your despatch No. 96, of the 6th instant, inclosing copy of your protest in reply to the note verbal of the Ottoman Government, prohibiting the importation therein of American salt meats, has been received, and your timely action is approved.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

MISCELLANEOUS.

No. 149.

Mr. Frelinghuysen to Mr. Loring, Commissioner of Agriculture, et al.

DEPARTMENT OF STATE,
Washington, July 30, 1883.

SIR: On several occasions during the last few years the importation of hog products from the United States has been restricted, or even entirely prohibited, by the legislation of several foreign states. The grounds of this action are understood to be the alleged prevalence of disease—hog cholera, trichinosis, and the like—among the swine of the United States, and the supposed consequent unfitness of the prepared products for consumption as human food. The consequent legislation, however, has not, in most cases, expressed the motives of the restrictions imposed. The prohibitory decrees of Austria-Hungary and Germany, for instance, unqualifiedly forbid the importation into those countries of the pork products of the United States.

This Government, from the time the intention was first observed abroad to question the healthfulness of the pork products exported from the United States, has made every effort to investigate the truth of the unfavorable statements which came to its knowledge. It was conceived that we were more interested in proving such charges against one of our greatest staples of food, consumed by millions of our people, than could be any foreign country, whose inhabitants are only in comparatively small part consumers of the American products. After exhaustive and impartial investigation of the subject, the conviction was reached by this Government that the premises upon which the above legislation abroad rested were and are unfounded, and that the exported hog products of the United States are in no wise the source of danger to life and health which they are alleged to be. Wide publicity has been given to the results of the investigations undertaken by the Department of State and by the report on trichinæ and trichinosis, prepared by the Marine-Hospital Service, and published by order of Congress in 1881. And efforts have not been spared to induce in the minds of foreign governments a right understanding of the facts of the matter as they are ascertained to exist here. The conviction reached by this Government has not, however, been shared by the foreign governments to whose attention it was brought, and the contemplated prohibitory legislation has been effected, thereby closing important foreign markets to a food product generally used by a large proportion of our people.

It is doubtless one of the first duties of a government to watch over the health of its own community. It is difficult to believe that their restrictive measures arise from any other motive; and if foreign governments, after impartial examination, are satisfied that the pork products of the United States are, as compared with the like products of other countries, unwholesome to a degree which demands their exclusion from use as human food, it behooves this Government to examine this charge; and, if it should be substantiated, to fulfil its duty as the custodian of the public health, by enacting a system of sanitary laws which shall afford for its own citizens as complete a guarantee against the evil effects of consuming the domestic product as the statutes of foreign countries afford for their subjects. The President has therefore determined to name a commission of experts of known probity, impartiality, and competence to make a searching examination on the spot of all the conditions of the hog raising and packing industries of the United States, and to follow by the most practical examination the course of this food staple from the fields and farms to the wharf where it is shipped, or to the shops where it is exposed for domestic consumption.

The matter presents itself to the President with such urgency that he is unwilling to await action by Congress. He believes it of national importance that the results of the investigation he contemplates should be laid before Congress at the opening of the session in December next, in order that, if needful, legislative action may be then taken. It is therefore the President's desire that you will recommend to him the names of two competent persons to be commissioned as the representatives of your Department.

The commission will embrace, in addition, one representative of the New York Chamber of Commerce, one representative of the Chicago Board of Trade, and one gentleman to be chosen by the President, comprising in all five members. As the statutes prohibit the making of any contract involving guarantee of money payment, or the incurment

of any obligation for the eventual repayment of expenses, without the previous assent of Congress, the Executive is unable to promise any positive assurance that the expenses of the commission will be repaid. It is, however, thought that the great importance of the step taken, and the magnitude of the interest at stake, will lead Congress to recognize the justice of reimbursing whatever outlay the commissioners shall have incurred in discharging the important trust confided to them.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

Similar letters to—
The president of the New York Chamber of Commerce;
The president of the Chicago Board of Trade.

No. 150.

Mr. Frelinghuysen to Mr. Loring, Commissioner of Agriculture, et al.

DEPARTMENT OF STATE,
Washington, October 3, 1883.

SIR: During the last few years the importation of hog products from the United States has been restricted, and in some instances entirely prohibited, by the legislation of several foreign countries. The grounds of this action are understood to be the alleged prevalence of disease—hog cholera, trichinosis, and the like—among the swine of this country, and the supposed consequent unfitness of the prepared products for food.

This Government, from the time the intention was observed abroad to question the healthfulness of the pork products exported from the United States, has made efforts to investigate the truth of the unfavorable statements on the subject which came to its knowledge. The result of the investigations so made has been to show that the premises upon which the adverse legislation abroad rests are unfounded, and that the exported hog products of the United States are in no wise the source of danger to health and life they are alleged to be. Although efforts have not been spared to inform foreign governments as to this state of facts, they have not given due weight to the representations which have been made to them on the subject, and consequently prohibitory legislation has been extended in Europe until many important markets there have been closed to the food products in question, of which this country produces a large excess above its own consumption.

Inasmuch as the course which various foreign power shave pursued with regard to this matter involves the charge that American citizens are engaged in the exportation of an unhealthful article of food, and inasmuch as it is believed that the agricultural and commercial interests of this country are now suffering great damage in consequence of misrepresentations as to the character of the hog products of the United States, it has been determined to take measures for such a formal and thorough investigation of the subject as will leave no doubt whatever as to the facts.

To this end you are hereby notified that the President has designated a commission to make a searching examination of all the conditions of the hog raising and packing industries of the United States of America. This commission is constituted as follows: 1. Dr. George B. Loring;

2. Prof. C. F. Chandler; 3. Eliphalet W. Blatchford, esq.; 4. F. D. Curtis, esq.; 5. Prof. E. D. Salmon.

As the statutes prohibit the making of any contract involving guarantee of money payment or the incurment of any obligation for the eventual repayment of expenses without the previous assent of Congress, the President is unable to give any positive assurance that the expenses of the commission will be repaid. It is, however, thought that the magnitude of the interests at stake will lead Congress to recognize the justice of reimbursing whatever outlay the commission may incur in discharging the important trust confided to it.

You are requested to confer with your colleagues with a view to the speedy organization of the commission, that its labors may begin at an early day.

The method of procedure and other details are left to the judgment of the commission, the President desiring simply that it shall proceed in such manner as may seem most advisable to examine into this industry and the allegations as to the healthfulness of the pork products of the United States.

The commission will report the result of its investigation, as soon as practicable, to the Secretary of State, for communication to Congress.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

Similar letters to—

Eliphalet W. Blatchford, esq., on the part of the Board of Trade of Chicago;

Prof. C. F. Chandler, on the part of the Chamber of Commerce of the State of New York;

F. D. Curtis, esq., of Charlton, N. Y.;

Prof. D. E. Salmon, of the Department of Agriculture, Washington, D. C.

No. 6.

House Ex. Doc. No. 106, Forty-eighth Congress, First Session.

Message from the President of the United States, transmitting a report from the Secretary of State relative to the importation of the swine products of the United States.

MARCH 1, 1884.—Referred to the Committee on Agriculture and ordered to be printed.

To the House of Representatives:

I transmit herewith for the consideration of Congress a report of the Secretary of State, accompanying a report made by the Commission lately designated by me to examine and report upon the asserted unhealthfulness of the swine products of this country. The views and conclusions of the Commission deserve the most careful consideration of Congress, to the end that, if any path be legitimately open for removing the prohibition which closes important foreign markets to those products, it may be followed and appropriate legislation devised.

I earnestly recommend that Congress provide for reimbursing the expenses incurred by the Commissioners in this praiseworthy service, and I should be glad also if some remunerative recognition of their public-spirited action in accepting the onerous and responsible duties imposed on them were to suggest itself to Congress. At all events, in view of the conflicting theories touching the origin and propagation of trichiniasis and the means of isolating and extirpating it among domestic swine, and considering the important bearing which precise knowledge on these points would have on the commercial aspects of the matter, I recommend provision for special research in this direction.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, February 29, 1884.

The PRESIDENT:

In the President's last annual message to the Congress he announced that in view of the action of certain foreign Governments prohibiting importation of the swine products of the United States, because of alleged danger to health from their use, he had deemed it so important to ascertain and promulgate the exact facts that he had designated a Commission of experts to make a thorough investigation of the subject.

The Commission so appointed has now submitted a report to the undersigned, which is herewith laid before the President, for transmission to Congress if in his judgment it be deemed advisable so to do.

The report is thorough and impartial to a degree which can not fail to commend it to public consideration here and abroad. It deals mainly with the two asserted causes of a diseased condition of the prepared

food-products, namely, hog cholera, so called, and trichiniasis. As to the first, it is conclusively shown that the flesh of swine so diseased does not enter the market packed for human food, and it is moreover demonstrable that in no event is the disease communicable to human beings.

As to trichiniasis in swine the report is less conclusive, because less is certainly known of the manner in which the living *trichinæ* or their germs are transmitted. The need of further investigations to determine this point, on which alone can any practicable measure for the extirpation of the disease be based, is very clear. Admitting the fact that a percentage of the animals slaughtered (probably smaller than in the countries of Europe) are more or less infested with *trichinæ*, the Commission points out that the processes and conditions of packing and the lapse of time between the slaughter of the animal and the consumption of the prepared flesh abroad, are found to so diminish the vitality and propagative power of the trichinæ as to make it doubtful whether any of these parasites reach Europe in a living state, or in a condition to develop in the human body.

So far as known, no single authentic instance, resting on competent scientific testimony, can be adduced of a case of trichiniasis in Europe arising from the use of American packed swine products as food, whether eaten raw or cooked. In each instance of outbreak of trichiniasis in Germany, where the habit of eating hog's meat in an uncooked state makes the disease more prevalent than in other countries, the epidemic is not only distinctly traced to the consumption of the flesh of freshly-killed native hogs, but the further significant fact is observed that the virulence of the infection diminishes with the time elapsing between the killing of the animal and the consumption of its flesh, and that an interval of only a few days, especially when the meat is even slightly salted, suffices to reduce the severity of the symptoms below a fatal stage. It may not be irrationally inferred that a still longer interval would wholly remove the danger of infection, even in uncooked meat. Scientific research as to the duration and conditions of propagative vitality of the trichinæ after the death of the animal in which they are found, would appear to be a very necessary step toward a fuller knowl edge of this aspect of the question.

In conclusion the Commissioners say that—

> After carefully studying every circumstance that in any way affects the condition of the American swine, from the hour of their birth to the landing of the cured meat in foreign ports, we are free to say that our exported pork in all its forms is fully equal, perhaps superior, in its freedom from taint of every kind, either from disease or deterioration after slaughtering, to the pork of France or Germany, or any other country in which the hogs are confined within a narrow compass and do not enjoy that free run and pasturage which they get in the hog-growing regions of the United States. There is no general prevalence of disease among swine in any portion of this country. Microscopic examinations show that here, as in all other countries, a small percentage of swine is affected with trichiniasis; probably a smaller percentage than in the countries of Europe. That the occasional presence of trichinæ in our pork is a comparatively unimportant fact is shown by the variety of trichiniasis among human beings, as indicated by the returns from the State and city boards of health. Another very important fact is the almost certain destruction of the trichinæ when present in pork by the curing process before it can be landed in foreign countries. Nevertheless, while we believe that no legitimate grounds exist for the restrictions imposed on the importation of American pork, we are satisfied that microscopic inspection of all pork for export can be secured at the packing houses, if such inspection should be demanded, as we have already fully explained.

There does not seem to be any objection in principle to such inspection whenever it may be required. Foreign commerce is necessarily conducted in conformity with the demands of the local trade, and it is

clearly to the interest of producers to set such wares on a foreign market as will meet with ready and unhampered sale. When a government imposes upon the importation of foreign products conditions no more burdensome or unreasonable than those which weigh upon native products, conformity with those conditions is reasonable and requisite. If home inspection with due certification will open foreign markets for our swine products, it will certainly pay the American exporter to submit to inspection.

It is suggested that the trust expressed in the President's last annual message be repeated, that Congress shall find in the national and international bearings of the matter a sufficient motive for providing for the re-imbursement of the expenses incurred by the Commissioners. It seems but just to also provide some compensation for the time and knowledge thus devoted by them to public interests. It may also be advisable to make an appropriation for setting on foot the investigations suggested by the Commission as to the origin and transmission of trichinæ and the means of isolating and extirpating the disease.

Respectfully submitted.

FRED'K T. FRELINGHUYSEN.

DEPARTMENT OF STATE,
Washington, February 28, 1884.

PART I.

INTRODUCTORY.

Hon. FRED'K T. FRELINGHUYSEN,
Secretary of State:

The Commission appointed by the President to examine into the swine industry of the United States, and into "the allegations as to the healthfulness of the pork products" of this country, beg leave to report. The Commissioners entered upon the work assigned them in accordance with the following letters of instruction:

Mr. Frelinghuysen to Mr. Loring, Commissioner of Agriculture, et al.

DEPARTMENT OF STATE,
Washington, July 30, 1883.

SIR: On several occasions during the last few years the importation of hog products from the United States has been restricted, or even entirely prohibited, by the legislation of several foreign states. The grounds of this action are understood to be the alleged prevalence of disease—hog cholera, trichinosis, and the like– among the swine of the United States, and the supposed consequent unfitness of the prepared products for consumption as human food. The consequent legislation, however, has not, in most cases, expressed the motives of the restrictions imposed. The prohibitory decrees of Austria-Hungary and Germany, for instance, unqualifiedly forbid the importation into those countries of the pork products of the United States.

This Government, from the time the intention was first observed abroad to question the healthfulness of the pork products exported from the United States, has made every effort to investigate the truth of the unfavorable statements which came to its knowledge. It was conceived that we were more interested in proving such charges against one of our greatest staples of food, consumed by millions of our people, than could be any foreign country, whose inhabitants are only in comparatively small part consumers of the American products. After exhaustive and impartial investigation of the subject, the conviction was reached by this Government that the premises upon which the above legislation abroad rested were and are unfounded, and that the exported hog products of the United States are in no wise the source of danger to life and health which they are alleged to be. Wide publicity has been given to the re-

sults of the investigations undertaken by the Department of State and by the report on trichinæ and trichinosis, prepared by the Marine-Hospital Service, and published by order of Congress in 1881. And efforts have not been spared to induce in the minds of foreign governments a right understanding of the facts of the matter as they are ascertained to exist here. The conviction reached by this Government has not, however, been shared by the foreign governments to whose attention it was brought, and the contemplated prohibitory legislation has been effected, thereby closing important foreign markets to a food product generally used by a large proportion of our people.

It is doubtless one of the first duties of government to watch over the health of its own community. It is difficult to believe that their restrictive measures arise from any other motive; and if foreign governments, after impartial examination, are satisfied that the pork products of the United States are, as compared with the like products of other countries, unwholesome to a degree which demands their exclusion from use as human food, it behooves this Government to examine this charge; and, if it should be substantiated, to fulfill its duty as the custodian of the public health, by enacting a system of sanitary laws which shall afford for its own citizens as complete a guarantee against the evil effects of consuming the domestic product as the statutes of foreign countries afford for their subjects. The President has therefore determined to name a commission of experts of known probity, impartiality, and competence, to make a searching examination on the spot of all the conditions of the hog raising and packing industries of the United States, and to follow by the most practical examination the course of this food staple from the fields and farms to the wharf where it is shipped, or to the shops where it is exposed for domestic consumption.

The matter presents itself to the President with such urgency that he is unwilling to await action by Congress. He believes it of national importance that the results of the investigation he contemplates should be laid before Congress at the opening of the session in December next, in order that, if needful, legislative action may be then taken. It is therefore the President's desire that you will recommend to him the names of two competent persons to be commissioned as the representatives of your Department.

The commission will embrace, in addition, one representative of the New York Chamber of Commerce, one representative of the Chicago Board of Trade, and one gentleman to be chosen by the Present, comprising all five members. As the statutes prohibit the making of any contract involving guarantee of money payment, or the incurment of any obligation for the eventual repayment of expenses, without the previous assent of Congress, the Executive is unable to promise any positive assurance that the expenses of the Commission will be repaid. It is, however, thought that the great importance of the step taken and the magnitude of the interest at stake will lead Congress to recognize the justice of reimbursing whatever outlay the commissioners shall have incurred in discharging the important trust confided to them.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

Similar letters to—
The president of the New York Chamber of Commerce;
The president of the Chicago Board of Trade.

Mr. Frelinghuysen to Mr. Loring, Commissioner of Agriculture, et al.

DEPARTMENT OF STATE,
Washington, October 3, 1883.

SIR: During the last few years the importation of hog products from the United States has been restricted, and in some instances entirely prohibited, by the legislation of several foreign countries. The grounds of this action are understood to be the alleged prevalence of disease—hog cholera, trichinosis, and the like—among the swine of this country, and the supposed consequent unfitness of the prepared products for food.

This Government, from the time the intention was observed abroad to question the healthfulness of the pork products exported from the United States, has made efforts to investigate the truth of unfavorable statements on the subject which came to its knowledge. The result of the investigations so made has been to show that the premises upon which the adverse legislation abroad rests are unfounded, and that the exported hog products of the United States are in no wise the source of danger to health and life they are alleged to be. Although efforts have not been spared to inform foreign governments as to this state of facts, they have not given due weight to the representations which have been made to them on the subject, and consequently

prohibitory legislation has been extended in Europe, until many important markets there have been closed to the food products in question, of which this country produces a large excess above its own consumption.

Inasmuch as the course which various foreign powers have pursued with regard to this matter involves the charge that American citizens are engaged in the exportation of an unhealthful article of food, and inasmuch as it is believed that the agricultural and commercial interests of this country are now suffering great damage in consequence of misrepresentations as to the character of the hog products of the United States, it has been determined to take measures for such a formal and thorough investigation of the subject as will leave no doubt whatever as to the facts.

To this end you are hereby notified that the President has designated a commission to make a searching examination of all the conditions of the hog raising and packing industries of the United States of America. This commission is constituted as follows: 1. Dr. George B. Loring; 2. Prof. C. F. Chandler; 3. Eliphalet W. Blatchford, esq.; 4. F. D. Curtis, esq.; 5. Prof. E. D. Salmon.

As the statutes prohibit the making of any contract involving guarantee of money payment or the incurment of any obligation for the eventual repayment of expenses without the previous assent of Congress, the President is unable to give any positive assurance that the expenses of the commission will be repaid. It is, however, thought that the magnitude of the interests at stake will lead Congress to recognize the justice of reimbursing whatever outlay the commission may incur in discharging the important trust confided to it.

You are requested to confer with your colleagues with a view to the speedy organization of the commission, that its labors may begin at an early day.

The method of procedure and other details are left to the judgment of the commission, the President desiring simply that it shall proceed in such a manner as may seem most advisable to examine into this industry and the allegations as to the healthfulness of the pork products of the United States.

The commission will report the result of its investigation, as soon as practicable, to the Secretary of State, for communication to Congress.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

Similar letters to—

Eliphalet W. Blatchford, esq., on the part of the Board of Trade of Chicago;

Prof. C. F. Chandler, on the part of the Chamber of Commerce of the State of New York;

F. D. Curtis, of Charlton, N. Y.;

Prof. D. E. Salmon, of the Department of Agriculture, Washington, D. C.

The Commission assembled at the Department of Agriculture in Washington on the 15th of October, 1883, and assigned its work to the various members under the following heads, viz:

I.

1. The origin and history of the hogs which make up the market supply.
2. The conditions under which they are raised and fattened.

II.

1. Transportation of hogs from farms, or when they are fatted to "stock-yards" or packers.
2. Condition of animals on arrival at stock-yards or where they are to be slaughtered and packed.
3. Manner of slaughter and effects on the meat.
4. Treatment of carcass after slaughtering, before cutting up.
5. Curing of meat, the mode and materials used.
6. Packages used for shipment.
7. Storage after packing.
8. Transportation to seaboard.
9. Inspection for home and foreign consumption by General Government, State authority, boards of trade.

III.

1. Extent of trichinæ and trichiniasis in America and Europe.
2. Preventive measures required.
3. Effect of salting or curing upon trichinæ.
4. Effects and extent of other diseases which may exist among hogs.

In performing this duty the packing-houses of the West and in the seaboard cities, and the large swine-breeding sections of the country have been personally examined by the Commission, and an extensive correspondence has been entered into with the packers of pork, the State and municipal authorities who have issued regulations with regard to the trade, and with the transportation companies over whose lines the traffic is conducted, in order to secure all possible information on the subject.

I.

1. *The origin and history of the hogs which make up the market supply.*
2. *The conditions under which they are raised and fattened.*

The raising of swine in the United States of America is an industry so universal that it extends to every farm. The products of the hog—pork, bacon, ham, and lard, or in their manufactured forms—are consumed by all classes. Among the farmers they constitute the chief meat food. The supply for domestic use is obtained partly from the farmers themselves, and partly from the general market, in which the products of every State and section find a sale, and from which foreign countries are supplied. The States which furnish nearly all the pork products which go to foreign markets are Iowa, Illinois, Missouri, Indiana, Ohio, Kansas, Kentucky, Nebraska, Wisconsin, and Tennessee. They are enumerated in the order of their production. Texas, Arkansas, and Michigan, West Virginia, and Minnesota also send to the packing-houses a small amount of the great market supply. The number of hogs in all these States, according to the returns of the Department of Agriculture for 1883, was 31,955,020, while the total number in the United States by the same report was 43,270,086. The Southern States produce a large number of hogs which make superior bacon and hams. Georgia is credited in the annual report of the Department of Agriculture with 1,412,604 hogs; North Carolina, 1,311,821; Alabama, 1,225,534; Mississippi, 1,070,269, and Virginia, 773,864. The hogs from these States are used for domestic consumption.

In the States which supply the hogs for the foreign market, corn is a leading grain production, and it is found that the number of hogs in each State is proportioned to the yield of this staple. The fifteen States mentioned above produced in 1883, 1,301,025,300 bushels of corn.

As indicating the interest in swine-breeding in America, it may be stated that a national swine breeders' association has been formed, in which all the States are represented, which, at its last session held in the city of Chicago, Ill., November 14, 1883, unanimously passed a resolution which was reported by the special committee on sanitary conditions, from which we quote as follows:

> We recommend that laws should be passed in all the States placing all animals thus affected [with cholera] in quarantine, with restrictions and severe penalties in any case of the violation of the law. The disease of trichinosis is practically unknown among the farmers, and we fail to see how corn, the chief food for the hogs which

make up the market supply, can in any possible way be productive of trichinosis. The active efforts of the national administration in endeavoring to obtain a repeal of the embargoes of certain foreign governments against the importation of American pork are highly appreciated, and we would approve of continued efforts, and, as the interests at stake are so great, of radical measures, if necessary, to the extent of a rigid governmental inspection both before the slaughtering of the swine and the packing and foreign shipments of pork products.

BREEDS OF SWINE.

The breeds of hogs in the United States which are the most numerously bred are Poland-China, Berkshire, Essex, Chester-White, Yorkshire, Suffolk, Cheshire, Victoria, Duroc-Jersey, and Guinea. Nearly all of these breeds are represented by a distinctive association, whose members vie with each other in endeavoring to improve and perfect the breed of their choice. The Berkshire, Essex, Yorkshire, and Suffolk varieties are of English origin, the others being American breeds. The white breeds predominate in the Eastern and Middle States. These are Yorkshire, large and small; Suffolk, Cheshire, Victoria, and Chester-White. The last originated in the State of Pennsylvania, and the Cheshire and Victoria in the State of New York. The Duroc-Jersey breed—red hogs—was formed by uniting the two different families, one originating in New York and the other in New Jersey. The Guinea hogs are natives of the South. They are compact in form, exceedingly hardy, and are black-blue and white in color. Ninety per cent. of the hogs which furnish the supply for the packers are of the breed of Poland-China and Berkshire. The Poland-China swine make up the largest proportion of this amount. About 3 per cent. of the hogs which go to the Western stock-yards are white, and about the same number are red or crossed with red, and the remaining 4 per cent. are crosses of white and black and Essex. The Poland-China and Berkshire breeds closely resemble each other, and have the same general characteristics, excepting that the Poland-China are usually larger. Berkshire blood predominates largely in the making up of this breed. Both the Poland-China and the Berkshire are black with white spots, but when dressed the skin is white, with, perhaps, a faint bluish tinge. Both of these breeds are as near perfect as American skill and experience in breeding can make them, and while they have the form of body which gives them great popularity, they also possess the color (nearly black) and skin which fit them for enduring the extremes of our climate.

BREEDING AND FEEDING.

The system of breeding and rearing swine is nearly the same in all the States, with the exception that in the colder latitudes more shelter is provided. Where the climate is milder the hogs are sometimes kept in the forests, and are protected by the underbrush, which breaks the force of the winds. Away from the forests, sheds are provided, or regular houses, and straw for bedding, or the hogs are allowed to sleep around the straw stacks, near the farm buildings. It is manifest that the best hogs should be bred on the farms, not only those suited to the wants of the packer, but possessing as much physical stamina and vital power as possible. It may be suggested here that more nitrogenous food would add to the nutrition of the blood, and give it greater force in building up the system. The crossing of breeds tends to impart greater constitutional vigor than animals have which have been bred for a considerable time in a direct line, and on this account it may be

advisable for the producers of pork to infuse new blood into their herds Fortunately there is no lack in this country of breeds, and such cross-bred hogs can be had without any material change of form or losing the benefits of as good skin and coats of hair. The farmers of the West understand these principles in breeding and are beginning to avail themselves of the means at hand in order to derive the consequent benefits. While it may be for the interest of the pork-producer to fit his hogs for market in the shortest space of time, the same law does not hold good in the rearing of breeding stock. The farmers have learned that they should grow slower, and that the food should be of such a combination as to develop the entire structure of the animal during the period of growth, and not the fatty portions to excess. The hogs in the United States are generally allowed to roam and feed upon grass and clover as their natural food during those months in which pasturage can be continued, and they are fed mainly on corn during the time in which they are to be finished for the market. They are supplied also with an abundance of pure water, and this mode of feeding contributes so entirely to the health of the animals that but a small amount of disease can be found among them. Refuse food is seldom or never used in the great pork-producing regions of the country; this being limited entirely to villages and small farms when the hogs are confined the year through in close quarters. The breeding of swine has always followed the lead of the market, which used to demand larger hogs than are now required. Formerly the largest proportion of the pork was pickled in brine, and in this form, then as now, the heaviest hogs were used. The more modern way of dry-salting the sides and of making more bacon makes the demand now greatest for medium-sized hogs, which will make hams of smaller weight. The pigs of this kind are farrowed in the summer or in the autumn while the mothers are in the fields or in the woods; when in the fields they live, as we have said, upon blue grass or upon clover, as the case may be, supplemented with corn. In the woods or on the river bottoms they subsist on mast (nuts), grass, and roots of various kinds. In order to keep them from roving or getting wild on the bottom ranges, as they are often very extensive, reaching for miles, the hogs are fed corn occasionally, or regularly, if the owner finds it to his advantage to do so. The pigs designed for the next year's market are wintered on corn or mast and corn, and in the spring they are allowed to run in pastures, or they are confined to a feeding lot where there is water, and in which corn is their food. Except the grass and mast, which the hogs have access to in the hog-producing States, their food is Indian corn. The breeding sows are wintered on it, and it is fed to them bountifully while the pigs are suckling and to their offspring. The older hogs, which are wintered on corn, are turned out as early as possible into a pasture lot, as the value of succulent food, together with corn, is well appreciated.

FEEDING OFFAL, ETC.

The statements in regard to feeding offal at slaughter-houses have been greatly exaggerated and convey an erroneous impression. Cases of such feeding are limited to a small fractional per cent .of the number of hogs as compared with the grand total in the country. A few hogs are kept by the butchers in the country towns, which are fed on the offal from their small slaughtering establishments as far as it will suffice for their food. This includes the offal from the sheep, cattle, and hogs which they may kill. These hogs are always slaughtered by their

owners and sold in their own meat stores in the local markets to their customers. In Kentucky and some other States, where whisky and alcohol are distilled from grain, hogs are sometimes fed by the owners of these distilleries on the refuse. The pork so made is soft and never purchased for the foreign market, as it does not cure well and does not make products equal to their standard and brand. When distillery-fed hogs are changed from the refuse of the grain and fed wholly on corn for several weeks before slaughtering, they make excellent pork. This fact is well understood. Butchers can always detect a distillery-fed hog after it has been dressed as well as one fed on mast. The fatty portion of the latter is yellow, and both are more oily than when corn-fed.

SANITARY CONDITIONS.

Not all American farmers have yet learned that hogs are really among the most delicate of farm animals, and that exposure and sudden changes of temperature often seriously affect them. It is a gratifying fact, however, that the sanitary conditions of the hog upon the farms have been greatly improved. Not only warmer quarters are provided, but the important fact is also better known and appreciated of affording them dry beds and sleeping ground. It is getting to be well understood that good water is almost as essential as good food to make healthy animals, and as a result of this knowledge and the gratifying consequence of the experience of those who have tried the experiment, where there are no natural streams or springs to furnish pure water, a resort is being extensively made to wells, with windmills and pumps attached, to procure the needful supply. The better care of the hogs now had and the precautions exercised by farmers to either burn or bury all animals dying from disease has had the most salutary effect in increasing the general healthfulness of swine. The sensational and exaggerated theories and statements both in regard to the propagation of hog cholera and trichinæ on the farms are not in accordance with the facts as hogs are now managed and fed. The disease termed "thumps," which is one of the most fatal, is confined to young pigs, and usually affects them while suckling. It is in no sense contagious, and almost always attacks pigs which are farrowed early while shut up in pens and deprived of exercise. The mortality on this account has been materially reduced by later farrowing to give the advantage of exercise, thus preventing excessive fatness.

SALES AND WEIGHTS.

The largest sales are made during the latter part of autumn and the early part of winter. Sales are also made through the summer or whenever the condition of the hogs is suitable, and the prices acceptable to the owner. The average dressed weight at one year old is about 200 pounds, at eighteen months about 250 pounds. These are the minimum averages. The spring pigs constitute another class of hogs. They make lighter bacon, lighter dry-salted sides, and smaller hams. These pigs are fed, as soon as they are old enough to eat, all the corn they will consume. When eight or ten months of age they are ready to be turned off with an average minimum dressed weight of about 150 pounds. The aggregate number of hogs of all ages now slaughtered annually in the United States is estimated at about 30,000,000, averaging a dressed weight of 175 pounds or 5,250,000,000 pounds of gross product, making a total of cured meats, lard, and other products of 4,725,000,000 pounds. The hogs are sold at the railway stations by live weight, and either driven or transported to the yards of the shipper.

PART II.

II.

1. Transportation of hogs from farms, or where they are fattened, to stock-yards or packers.
2. Condition of animals on arrival at stock-yards or where they are to be slaughtered or packed.
3. The manner of slaughter and the effects on the meat.
4. Treatment of carcass after slaughtering, before cutting up.
5. Curing of meat; the mode and materials used.
6. Packages used for shipment.
7. Storage after packing.
8. Transportation to seaboard.
9. Inspection for home and foreign consumption by General Government, State authority, and boards of trade.

THE TRADE IN HOG PRODUCTS.

The pork trade of the United States has reached enormous proportions, one-half of the world's supply of hogs being now owned and raised in this country.

THE WORLD'S SUPPLY OF SWINE.

The following table, provided by the Department of Agriculture, gives the number of swine reported in the United States in 1883, in the United Kingdom in 1882, and in other countries having 100,000 or more in 1880:

United States	43,270,000	Belgium	602,000
Russia	10,332,000	Australia	567,000
Germany	7,324,000	Denmark	504,000
Austro-Hungary	6,995,000	Sweden	426,000
France	5,891,000	Holland	352,000
Spain	4,352,000	Argentine Republic	342,000
United Kingdom	3,940,000	New Zealand	207,000
Switzerland	2,000,000	Greece	180,000
Italy	1,564,000	Cape of Good Hope	132,000
B. N. A. Provinces	1,419,000	Norway	101,000
Roumania	837,000		
Portugal	717,000	Total	91,964,000

Table showing the estimated total number and total value of each kind of live-stock and the average prices in January, 1883.

[From the Report of the Commissioner of Agriculture for 1883.]

States and Territories.	Hogs.		
	Number.	Average price.	Value.
Maine	71,416	$11.87	$847,708
New Hampshire	54,511	12.13	661,218
Vermont	74,864	11.67	873,663
Massachusetts	80,908	14.31	1,157,793
Rhode Island	14,405	13.39	192,883
Connecticut	62,406	10.38	647,774
New York	744,238	10.96	8,156,848
New Jersey	214,688	12.75	2,737,272
Pennsylvania	1,060,856	9.24	9,802,309
Delaware	46,740	7.80	364,572
Maryland	325,413	7.94	2,583,779
Virginia	773,864	5.36	4,147,911
North Carolina	1,311,821	4.15	5,444,057
South Carolina	584,601	4.34	2,537,168
Georgia	1,412,604	4.04	5,706,920
Florida	320,000	2.75	880,000
Alabama	1,225,534	4.34	5,318,818
Mississippi	1,070,269	4.05	4,334,589
Louisiana	544,439	4.30	2,427,088
Texas	1,953,189	3.98	7,773,692
Arkansas	1,250,513	3.88	4,851,990
Tennessee	1,988,753	5.56	11,057,467
West Virginia	404,406	5.92	2,394,084
Kentucky	1,916,587	5.73	10,982,044
Ohio	2,714,112	8.07	21,902,884
Michigan	934,184	8.45	7,893,855
Indiana	2,724,383	7.64	20,814,286
Illinois	3,970,764	7.46	29,621,899
Wisconsin	1,162,238	9.76	11,343,443
Minnesota	424,057	7.45	3,159,225
Iowa	5,107,445	8.02	40,961,709
Missouri	3,892,920	5.56	21,644,635
Kansas	1,984,646	8.57	17,008,416
Nebraska	1,526,823	7.96	12,153,511
California	856,000	7.14	6,111,840
Oregon	168,954	5.49	927,557
Nevada	12,000	11.40	136,800
Colorado	12,100	11.58	140,118
Arizona	9,200	8.00	73,600
Dakota	109,600	8.81	965,576
Idaho	23,600	11.00	259,600
Montana	17,200	10.60	182,320
New Mexico	19,300	10.80	208,440
Utah	22,500	12.42	279,450
Washington	50,300	5.42	272,626
Wyoming	735	10.59	7,784
Indian			
Total	43,270,086	6.75	291,951,221

Table showing the estimated numbers of farm stock expressed as a percentage of the numbers of the previous years; also, average of actual prices in January, 1883.

[From the Report of the Commissioner of Agriculture, November 10, 1883.]

States and Territories.	Hogs.		
	Total number of hogs compared with that of January, 1882.	Average price per head under 1 year old.	Average price per head over 1 year old.
	Per cent.		
Maine	99	$9.25	$22.33
New Hampshire	101	11.05	23.37
Vermont	99	8.75	20.00
Massachusetts	102	11.75	22.40
Rhode Island	101	11.33	21.67
Connecticut	101	8.54	17.75
New York	101	8.35	17.35
New Jersey	100	9.75	18.31
Pennsylvania	94	6.87	15.04
Delaware	100	6.00	15.00
Maryland	98	5.46	12.54
Virginia	87	3.93	8.70
North Carolina	95	2.88	6.33
South Carolina	99	2.95	6.25
Georgia	99	2.84	6.18
Florida	122	1.48	3.58
Alabama	103	3.31	6.26
Mississippi	92	2.87	6.36
Louisiana	90	2.60	6.86
Texas	103	2.69	5.92
Arkansas	85	2.46	6.00
Tennessee	97	4.14	9.23
West Virginia	88	4.56	9.79
Kentucky	99	4.29	9.86
Ohio	96	6.30	13.68
Michigan	102	6.23	14.78
Indiana	95	5.75	12.51
Illinois	96	5.51	12.46
Wisconsin	104	8.44	12.83
Minnesota	109	5.31	12.44
Iowa	92	6.22	12.89
Missouri	95	3.90	9.44
Kansas	111	6.73	13.57
Nebraska	116	6.40	11.60
California	95	5.48	10.07
Oregon	105	2.78	7.28
Nevada	120	8.00	16.50
Colorado	110	9.33	18.33
Arizona	120	7.00	20.00
Dakota	137	6.93	13.19
Idaho	100	5.00	15.00
Montana	105	9.75	19.25
New Mexico	110	7.00	24.00
Utah	107	11.05	21.95
Washington	103	3.50	8.82
Wyoming	105	8.00	25.00
Indian Territory	80	1.50	5.00

The following extracts from the recent report of George B. Loring, Commissioner of Agriculture, of date November 10, 1883, presents a valuable array of facts on this subject. The return of cattle, calves, sheep, and horses are included in order to present comparative values.

STOCK STATISTICS.

THE CHICAGO MARKET.

The volume of business in this great stock market is rapidly increasing. There were 1,582,530 cattle, exclusive of calves, received, and 661,521 retained for home consumption or slaughter and cutting, or shipment as dressed beef. In 1870 the difference between receipts and shipments was only 141,255. The receipts and shipments, and home consumption, for seventeen years, are thus presented:

	Cattle.	Calves.	Hogs.	Sheep.	Horses.
Receipts	14, 629, 013	73, 913	66, 334, 665	5 788, 920	149, 778
Shipments	9, 848, 754	43, 694	22, 855, 706	2, 641, 171	133, 655
Total	4 780, 259	30, 219	43, 478, 959	3, 147, 749	16, 123

Of these receipts, 8,892,253, or 61 per cent. of the whole number of cattle, were handled in the last seven years. The increase has been comparatively steady, amounting to nearly half a million since 1876, stimulated by the demand for the packing and canning trade, and more recently the dressed-beef trade. This increase is shown clearly in diagram D, which displays graphically the receipts of seventeen years, and the relative proportions shipped and retained. The proportions, year after year, run in nearly parallel lines until 1876, when the light shading indicating consumption suddenly encroaches on the dark space showing shipments.

The receipts of sheep have doubled in ten years, and the increase in seventeen has been about 200 per cent. Formerly, much the larger proportion were for city consumption; now, while the number retained has greatly increased, the shipments are about half of the aggregate.

The swine receipts have increased with still more wonderful rapidity. As "hogs" and "corn" are in a sense reciprocal terms, the six years of fat corn crops nearly doubled Chicago receipts. So the poor corn year, 1881, reduced the next year's receipts 657,340, as the bad crop of 1874 checked the tendency to increase and made the following year's receipts less by 346,269.

Total receipts for seventeen years.

Years.	Cattle.	Calves.	Hogs.	Sheep.	Horses.
1865 (five days)	613	.....	17, 764	1, 433	.....
1866	393, 007	.....	961, 746	207, 987	1, 553
1867	329, 188	.....	1, 696, 738	180, 888	847
1868	324, 524	.....	1, 706, 782	270, 891	1, 902
1869	403, 102	.....	1, 661, 869	340, 072	1, 524
1870	532, 964	.....	1, 693, 158	349, 853	3, 537
1871	543, 050	.....	2, 380, 083	315, 053	5, 963
1872	684, 075	.....	3, 252, 623	310, 211	12, 145
1873	761, 428	.....	4, 437, 750	291, 734	20, 289
1874	843, 966	.....	4, 258, 379	333, 655	17, 588
1875	920, 843	.....	3, 912, 110	418, 948	11, 346
1876	1, 096, 745	.....	4, 190, 006	364, 095	8, 159
1877	1, 033, 151	.....	4, 025, 970	310, 240	7, 874
1878	1, 083, 068	.....	6, 339, 654	310, 420	9, 415
1879	1, 215 732	.....	6, 448, 330	325, 119	10, 473
1880	1, 382, 477	.....	7, 059, 355	335, 810	10, 398
1881	1, 498, 550	*48, 948	6, 474, 844	493, 624	12, 909
1882	1, 582, 530	24, 965	5, 817, 504	628, 887	13, 856
Total	14, 629, 013	73, 913	66, 334, 665	5, 788, 920	149, 778

* Prior to 1881 calves were classed with cattle.

Total shipments for seventeen years.

Years.	Cattle.	Calves.	Hogs.	Sheep.	Horses.
1866	263, 693	.....	482, 875	75, 447	162
1867	203, 580	.....	758, 789	50, 275	387
1868	215, 987	.....	1, 020, 329	81, 634	2, 185
1869	294, 717	.....	1, 086, 305	108, 690	1, 538
1870	391, 709	.....	924, 453	116, 711	3, 488
1871	401, 927	.....	1, 162, 286	135, 084	5, 482
1872	510, 025	.....	1, 835, 594	145, 016	10, 625
1873	574, 181	.....	2, 197, 557	115, 235	18, 540
1874	622, 929	.....	2, 330, 361	180, 555	16, 608
1875	696, 534	.....	1, 582, 643	243, 604	11, 129
1876	797, 724	.....	1, 131, 635	195, 925	6, 839
1877	703, 402	.....	951, 221	155, 354	6, 598
1878	699, 108	.....	1, 266, 906	156, 727	8, 176
1879	726, 903	.....	1, 692, 361	159, 266	9, 289
1880	886, 614	.....	1, 394, 990	156, 510	8, 713
1881	938, 712	*33, 465	1, 289, 679	253, 938	11, 108
1882	921, 009	10, 229	1, 747, 722	314, 200	12, 788
Total	9, 848, 754	43, 694	22, 855, 706	2, 641, 171	133, 655

* Prior to 1881 calves were classed with cattle.

THE FOREIGN TRADE.

While the domestic distribution has been rapidly extending and enlarging the foreign trade in all farm animals has increased, and especially the exportation of sheep and cattle. The cattle exports prior to 1878 were from Southern ports almost entirely. When the transportation to Europe commenced, from Northern ports, the numbers increased rapidly and values enormously.

The following statement exhibits the progress of stock exportation :

Years.	Cattle.		Swine.		Sheep.		Horses.		Mules.	
	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.
1870	27, 530	$439, 987	12, 058	$189, 753	39, 570	$95, 193	2, 121	$177, 479	995	$140, 350
1871	20, 530	403, 491	8, 770	61, 390	45, 465	86, 888	1, 186	173, 273	1, 930	265, 827
1872	28, 033	565, 719	56, 110	548, 153	35, 218	79, 592	1, 772	268, 475	2, 121	294, 402
1873	35, 455	695, 957	99, 720	787, 402	66, 717	107, 698	2, 814	255, 365	1, 659	172, 172
1874	56, 067	1, 150, 857	158, 581	1, 625, 837	124, 248	159, 735	1, 432	169, 303	1, 252	174, 125
1875	57, 211	1, 103, 085	64, 979	739, 215	424, 416	183, 898	3, 220	242, 031	2, 802	356, 828
1876	51, 593	1, 110, 703	68, 044	670, 042	110, 312	171, 101	2, 030	234, 954	1, 784	224, 850
1877	50, 001	1, 593, 080	65, 107	699, 180	179, 017	234, 480	2, 042	301, 134	3, 441	478, 334
1878	80, 040	3, 896, 818	29, 284	267, 259	183, 995	333, 499	4, 104	798, 723	3, 860	501, 513
1879	136, 720	8, 379, 200	75, 129	700, 262	215, 680	1, 082, 938	3, 915	770, 742	4, 153	530, 989
1880	182, 756	13, 344, 195	83, 434	421, 089	209, 137	892, 647	3, 060	675, 139	5, 198	532, 362
1881	185, 707	14, 304, 103	77, 456	572, 138	179, 919	762, 932	2, 523	390, 243	3, 207	353, 924
1882	108, 110	7, 800, 227	36, 368	509, 651	139, 676	603, 778	2, 248	470, 183	2, 632	320, 130
1883	104, 444	8, 341, 431	16, 129	272, 516	337, 251	1, 154, 856	2, 800	475, 806	4, 237	486, 560

Exports of pork products.

Years.	Bacon and hams.		Pork.		Lard.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Pounds.		*Pounds.*		*Pounds.*	
1873	395, 381, 737	$35, 022, 137	64, 174, 461	$5, 007, 035	230, 534, 207	$21, 245, 815
1874	347, 405, 405	33, 383, 908	70, 482, 379	5, 808, 712	205, 527, 471	19, 308, 019
1875	250, 286, 549	28, 612, 613	56, 152, 331	5, 671, 495	166, 869, 393	22, 900, 522
1876	327, 730, 172	39, 664, 456	54, 195, 118	5, 744, 022	168, 405, 839	22, 429, 485
1877	460, 057, 146	49, 512, 412	69, 671, 894	6, 296, 414	234, 741, 233	25, 562, 665
1878	592, 814, 351	51, 752, 068	71, 889, 255	4, 913, 657	342, 766, 254	30, 022, 133
1879	732, 249, 576	58, 074, 433	84, 401, 676	4, 807, 568	326, 658, 686	22, 856, 673
1880	759, 773, 109	50, 987, 623	95, 949, 780	5, 930, 252	374, 979, 286	27, 920, 367
1881	746, 944, 545	61, 161, 205	107, 928, 086	8, 272, 285	378, 142, 496	35, 226, 575
1882	468, 026, 640	46, 675, 774	80, 447, 466	7, 201, 270	250, 367, 740	28, 975, 902
1883	340, 258, 670	38, 155, 952	62, 116, 302	6, 192, 268	224, 718, 474	26, 618, 048

VALUE OF FARM ANIMALS.

The value of farm animals, as reported in the census of 1880, was $1,500,464,609. This includes only stock on farms, exclusive of ranch cattle, sheep, and horses, and stock in towns and villages. The prices have advanced since 1883. The value of stock, as estimated in January, 1883, was as follows:

Stock.	Number.	Average. value.	Value.
Horses	10,838,111	$70.59	$765,041,308
Mules	1,871,079	79.49	148,732,390
Milch cows	13,125,685	30.21	396,557,405
Other cattle	28,046,077	21.80	611,549,109
Sheep	49,237,291	2.53	124,365,835
Swine	43,270,086	6.75	291,951,221

This makes a total value of $2,338,197,268. The numbers are intended to include all animals on farms, ranches, or public lands.

The increase in prices in four years from 1879 the time of lowest depression in twenty years, is very marked. According to the Department returns this advance amounts to 35 per cent for horses, 41 for mules, 39 for milch cows, 41 for other cattle, 22 for sheep, and 112 for swine. Besides the general advance of values incident to a recovery of business prosperity there is a powerful cause at work in the case of swine, the unexampled cheapness of corn in 1879, from consecutive crops of great abundance, and the high prices now prevailing in consequence of poor yields. This increase in values, applied to the census numbers, amounts to $2,174,000,000,

Average price of farm animals.

Years.	Horses.	Mules.	Cows.	Other cattle.	Sheep.	Swine.
1870	$81.38	$109.01	$39.12	$22.54	$2.28	$6.99
1871	78.51	101.52	37.33	22.81	2.32	6.19
1872	73.37	94.82	31.97	19.61	2.80	4.36
1873	74.21	95.15	29.72	20.06	2.96	4.09
1874	71.45	89.22	27.99	19.15	2.61	4.36
1875	68.01	80.00	28.52	18.68	2.79	5.34
1876	64.96	75.33	28.89	19.04	2.60	6.80
1877	60.08	86.41	27.32	17.10	2.27	6.09
1878	58.16	63.70	16.41	17.14	2.25	4.98
1879	52.41	56.06	21.73	15.39	2.07	3.18
1880	54.75	61.26	23.27	16.10	2.21	4.28
1881	58.44	69.79	23.45	17.33	2.39	4.70
1882	58.52	71.35	25.89	19.89	2.37	5.98
1883	70.59	79.49	31.21	21.80	2.53	6.75

The following tabular statements present the growth and present magnitude of this interest:

Total number of hogs packed in the West during winter seasons, according to special reports since 1849.

Season.	Number packed.	Cost, net.	Cost, gross.	Season.	Number packed.	Cost, net.	Cost, gross.
1882–'83	6,132,212	$7.85	$6.28	1861–'62	2,893,666	$3.03	$2.42
1881–'82	5,747,760	7.58	6.06	1860–'61	2,155,702	5.67	4.57
1880–'81	6,919,456	5.80	4.64	1859–'60	2,350,822	5.91	4.73
1879–'80	6,950,451	5.22	4.18	1858–'59	2,465,552	6.28	5.02
1878–'79	7,480,648	3.56	2.85	1857–'58	2,210,778	4.86	3.89
1877–'78	6,505,446	4.99	3.99	1856–'57	1,818,468	5.94	4.75
1876–'77	5,101,308	7.18	5.74	1855–'56	2,489,502	5.75	4.60
1875–'76	4,880,135	8.82	7.05	1854–'55	2,124,404	4.21	3.37
1874–'75	5,566,226	8.33	6.60	1853–'54	2,534,770	4.19	3.35
1873–'74	5,466,200	5.43	4.34	1852–'53	2,201,110	6.01	4.81
1872–'73	5,410,314	4.66	3.73	1851–'52	1,182,846	4.45	3.56
1871–'72	4,831,558	5.15	4.12	1850–'51	1,332,867	3.75	3.00
1870–'71	3,695,251	6.58	5.26	1849–'50	1,652,220	2.66	2.13
1869–'70	2,635,312	11.53	9.22	1848–'49	1,560,000	4,70	3.75
1868–'69	2,499,873	10.22	8.18	1847–'48	1,710,000	3.25	2.60
1867–'68	2,781,084	7.95	6.36	1846–'47	800,000	3.55	2.85
1866–'67	2,490,791	7.22	5.78	1845–'46	900,000	4.85	3.90
1865–'66	1,785,955	11.67	9.34	1844–'45	790,000	3.30	2.65
1864–'65	2,422,779	14.32	11.46	1843–'44	1,245,000	.....	.....
1863–'64	3,261,105	6.70	5.36	1842–'43	675,000	.....	.....
1862–'63	4,069,520	4.20	3.36				

The following shows the number of hogs packed in the Mississippi Valley during each year ended March 1 for the last thirty years, divided between summer and winter packing, and also the number packed in Chicago during each of these years:

Years ended March 1—	Number of hogs packed March 1 to November 1.		Number of hogs packed November 1 to March 1.		Total number packed March 1 to March 1.	
	In Chicago.	In the West.	In Chicago.	In the West.	In Chicago.	In the West.
1854	.....	.....	52,849	2,534,770	52,849	2,534,770
1855	.....	.....	73,694	2,124,404	73,694	2,124,404
1856	.....	.....	80,380	2,489,502	80,380	2,489,502
1857	.....	.....	74,000	1,818,468	74,000	1,818,468
1858	.....	.....	99,262	2,210,778	99,262	2,210,778
1859	.....	.....	179,684	2,465,552	179,684	2,455,552
1860	.....	.....	151,339	2,350,822	151,339	2,360,822
1861	.....	.....	271,805	2,155,702	271,805	2,155,702
1862	.....	.....	505,691	2,893,666	505,691	2,893,666
1863	.....	.....	970,264	4,069,520	970,264	4,069,520
1864	.....	.....	904,659	3,261,105	904,659	3,261,105
1865	.....	.....	760,514	2,422,779	760,511	2,422,779
1866	.....	.....	507,355	1,785,955	507,355	1,785,955
1867	.....	.....	639,332	2,490,791	639,332	2,490,791
1868	.....	.....	796,226	2,781,084	796,226	2,781,084
1869	.....	.....	597,954	2,499,173	597,954	2,499,173
1870	.....	.....	688,140	2,595,243	688,140	2,595,243
1871	48,917	115,000	870,280	3,717,084	919,197	3,832,084
1872	10,350	250,000	1,214,886	4,875,560	1,225,236	5,125,560
1873	31,571	505,000	1,425,079	5,451,254	1,456,650	5,956,254
1874	306,536	1,062,916	1,520,024	5,462,700	1,826,560	6,225,616
1875	446,368	1,200,444	1,690,348	5,561,226	2,136,716	6,761,670
1876	728,781	1,262,343	1,592,065	4,887,999	2,320,846	6,150,342
1877	1,315,402	2,307,866	1,618,084	5,068,992	2,933,486	7,376,858
1878	1,508,026	2,543,120	2,501,285	6,502,446	4,009,311	9,045,566
1879	2,017,841	3,378,044	2,943,115	7,475,648	4,960,956	10,853,692
1880	2,155,418	4,051,248	2,525,219	6,946,151	4,680,637	10,997,399
1881	2,971,127	5,323,898	2,781,064	6,914,456	5,752,191	12,238,354
1882	2,732,384	4,803,689	2,368,100	5,747,760	5,100,484	10,551,449
1883	1,664,957	3,210,787	2,557,823	6,130,212	4,222,780	9,340,999

Previous to 1871 no reliable returns were made of the summer packing; it was, however, very inconsiderable.

Comparative statement of the last ten packing seasons, November 1 to March 1.

Seasons.	No. of hogs.	Average net weight.	Aggregate weight.	Seasons.	No. of hogs.	Average net weight.	Aggregate weight.
1872–'74	5, 462, 700	214. 97	1, 174, 316, 619	1878–'79 ..	7, 475, 648	217. 14	1, 623, 262, 206
1874–'75	5, 561, 226	209. 97	1, 166, 578, 378	1879 '80 ..	6, 946, 151	212. 94	1, 479, 113, 493
1875–'76	4, 887, 999	217. 71	1, 064, 122, 270	1880–'81 ..	6, 914, 456	207. 71	1, 436, 201, 655
1876–'77	5, 068, 992	215. 58	1, 092, 773, 295	1881–'82 ..	5, 747, 760	210. 16	1, 207, 935. 077
1877–'78	6, 502, 446	226. 04	1, 469, 812, 893	1882–'83 ..	6, 130, 212	213. 62	1, 309, 535, 887

The following table from the recently-issued report of the Department of Agriculture presents the itemized hog products reported inclusive of 1883:

Exports of pork products.

Years.	Bacon and hams.		Pork.		Lard.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Pounds.		*Pounds.*		*Pounds.*	
1873	395, 381, 737	$35, 022, 137	64, 147, 461	$5, 007, 035	230, 534, 207	$21, 245, 815
1874	347, 405, 405	33, 383, 908	70, 482, 379	5, 808, 712	205, 527, 471	19, 308, 019
1875	250, 286, 549	28, 612, 613	56, 152, 331	5, 671, 495	166, 869, 393	22, 900, 522
1876	327, 730, 172	39, 664, 456	54, 195, 118	5, 744, 022	168, 405, 839	22, 429, 485
1877	460, 057, 146	49, 512, 412	69, 671, 894	6, 296, 414	234, 741, 233	25, 562, 665
1878	592, 814, 351	51, 752, 068	71, 889, 255	4, 913, 657	342, 766, 254	30, 022, 133
1879	732, 249, 576	58, 074, 433	84, 401, 676	4, 807, 568	326, 658, 686	22, 856, 673
1880	759, 773, 109	50, 987, 623	95, 949, 780	5, 930, 252	374, 979, 286	27, 920, 367
1881	746, 944, 545	61, 161, 205	107, 928, 086	8, 272, 285	378, 142, 496	35, 226, 575
1882	468, 026, 640	46, 675, 774	80, 447, 466	7, 201, 270	250, 367, 740	28, 975, 902
1883	340, 258, 670	38, 155, 952	62, 116, 302	6, 192, 268	224, 718, 474	26, 618, 048

Of the 45,000,000 hogs owned in the United States, and which are valued at $300,000,000, from 14,000,000 to 15,000,000 find their way into the trade annually, and are valued at $243,000,000.

The following tables show how the packing business is distributed over the country:

Table showing the distribution of swine in the United States, of all ages, in January, 1883, and 1882.

	Department of Agriculture.	
	1883.	1882.
Ohio	2, 714 112	2, 827, 200
Indiana	2, 724 383	2, 867, 772
Illinois	3, 970, 764	4, 136, 213
Iowa	5, 107, 445	5, 551, 571
Missouri	3, 892, 920	4, 097, 811
Kansas	1, 984, 646	1, 787, 969
Nebraska	1, 526, 823	1, 316, 227
Minnesota	424, 057	389, 043
Wisconsin	1, 162, 238	1, 117, 537
Michigan	934, 184	915, 867
Kentucky	1, 916, 587	1, 935, 946
Tennessee	1, 988, 753	2, 050, 261
Twelve packing States	28, 316, 912	28, 993, 417
Maine	71, 416	73, 625
New Hampshire	54, 511	53, 971
Vermont	74, 861	75, 620
Massachusetts	80, 908	79, 322
Rhode Island	14, 405	14, 262
Connecticut	62, 406	61, 788
New York	744, 238	736, 869
New Jersey	214, 688	214, 688
Pennsylvania	1, 060, 856	1, 128, 570

Table showing the distribution of swine in the United States, etc.—Continued.

	Department of Agriculture.	
	1883.	1882.
Delaware	46,740	46,740
Maryland	325,413	332,054
Virginia	773,864	889,499
West Virginia	404,406	459,552
North Carolina	1,311,821	1,380,864
South Carolina	584,601	590,506
Georgia	1,412,604	1,426,873
Florida	320,000	284,180
Alabama	1,225,534	1,189,839
Mississippi	1,070,269	1,163,336
Louisiana	564,439	627,154
Texas	1,953,189	1,896,300
Arkansas	1,250,513	1,471,192
California	856,000	585,443
Oregon	168,954	160,909
Nevada	12,000	10,000
Colorado	12,100	10,000
Territories	252,435	165,627
Total	43,270,086	41,122,200

The Department of Agricuiture reports of swine of all ages in the United States in January for the years mentioned show the following totals:

1883	43,270,086	1875	28,062,200
1882	44,122,200	1874	30,860,900
1881	36,227,603	1873	32,632,000
1880	34,034,100	1872	31,796,300
1879	4,766,200	1871	29,457,500
1878	32,262,500	1870	26,751,600
1877	28,077,100	1869	23,316,400
1876	25,726,800		

Receipts and shipments of hogs.

[From 1872 to 1873, inclusive.]

Year.	Chicago.		Saint Louis.		Kansas City.		Peoria.		Milwaukee.	
	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.	Receipts.	Shipments.
1872	3,252,623	1,835,594	759,076	188,700	104,689	8,593	171,797	119,669	.....	.....
1873	4,437,750	2,197,557	973,512	224,873	220,956	33,610	216,319	129,321	.....	.....
1874	4,258,379	2,330,361	1,126,586	453,710	212,532	114,569	188,224	116,646	.....	.....
1875	3,912,110	1,582,643	628,569	126,729	59,413	15,790	139,647	93,259	.....	.....
1876	4,190,006	1,131,635	877,160	232,876	153,777	26,264	163,646	96,044	.....	.....
1877	4,025,970	951,221	896,319	314,287	192,645	15,973	104,830	87,470	235,244	53,663
1878	6,339,654	1,266,906	1,451,634	528,627	427,777	91,671	235,500	207,938	371,985	66,188
1879	6,448,330	1,692,361	1,762,724	686,099	588,908	208,851	267,669	236,693	585,102	115,845
1880	7,059,355	1,394,990	1,840,684	770,769	676,477	152,920	304,167	265,419	511,104	147,793
1881	6,474,844	1,289,679	1,672,153	889,909	1,014,304	195,524	205,130	186,072	569,830	124,813
1882	5,817,504	1,747,722	.....	.....	.....	.....	161,939	163,797	598,560	75,284
1883	.....	.....	.....	.....	.....	.....	.....	.....	633,503	133,843

The total number of hogs packed during twelve months ending March 1, at fifteen leading places, which pack in both winter and summer seasons, are as follows:

	1882–'83.	1881–'82.	1880–'81.
Chicago	4, 222, 780	5, 100, 484	5, 752, 191
Kansas City	813, 834	800, 928	579, 398
St. Louis	532, 180	556, 379	884, 159
Cincinnati	507, 316	508, 548	632, 981
Milwaukee	405, 510	486, 066	462, 348
Indianapolis	388, 417	406, 894	771, 928
Cedar Rapids	327, 163	350, 900	402, 081
Cleveland	218, 885	337, 738	506, 997
St. Joseph	152, 365	163, 066	126, 000
Louisville	143, 393	161, 007	245, 670
Ottumwa	121, 554	140, 950	123, 206
Omaha	151, 006	133, 781	96, 149
Des Moines	90, 871	112, 270	144, 707
Detroit	99, 155	103, 122	107, 181
Keokuk	60, 446	95, 662	51, 881

With a view of indicating closely the total packing and marketing of hogs in all the sections of the country during the year, we submit the following for twelve months ending March 1, 1883, compared with the preceding year:

	1882–'83.	1881–'82.
Packed in the West	9, 342, 999	10, 551, 449
Packed at Buffalo, Albany, and Troy	268, 734	297, 563
Packed at New Haven, Providence, etc	316, 568	250, 000
Packed on Pacific coast	275, 000	355, 000
Receipts at four seaboard cities	3, 264, 088	3, 371, 810
Aggregate number	13, 467, 389	14, 825, 822
Decrease in 1882–'83	1, 358, 433	.....

The weight and production of the above reported supply of hogs for the year ending March 1 are:

	1882–'83.	1881–'82.
Net weight of hogs.....pounds..	2, 623, 511, 584	2, 839, 239, 457
Decrease	215, 727, 923	.....
Green meats, all kinds .....pounds..	1, 836, 458, 073	1, 987, 467, 620
Decrease	151, 009, 547	.....
Production of lard.....pounds..	421, 513, 211	468, 929, 200
Decrease	47, 415, 989	.....
Tierces of lard.....330 pounds..	1, 277, 313	1, 420, 997
Decrease	143, 684	.....

The seven largest packing centers of the West, with their business for 1882–'83, are as follows:

	Number packed.	Value.
Chicago	4, 222, 780	$69, 148, 000
Kansas City	813, 834	13, 623, 581
Cincinnati	507, 316	*9, 043, 359
St. Louis	532, 180	*8, 207, 313
Milwaukee	405, 510	6, 256, 862
Indianapolis	388, 417	5, 911, 391
Louisville	143, 393	2, 548, 460

* The apparent discrepancy between the number and value of hogs at Cincinnati and St. Louis rises from the larger average weight of the hogs at the former city and the higher prices paid.

The following statement from the report of the Department of Agriculture of November 10, 1883, presents facts of interest showing changes in the movements of hogs to the sea-board-cities, page 285:

In the record for swine the most noticeable change is the remarkable movement to Boston, which is now nearly equal to the aggregate receipts of Philadelphia and Baltimore.

Receipts of hogs at the sea-board cities.

Years.	New York.	Boston.	Philadelphia.	Baltimore.	Total.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*
1869	901,725	167,558	176,200	250,516	1,495,999
1870	889,625	189,330	189,500	300,000	1,568,455
1871	1,310,280	351,307	199,610	350,000	2,211,197
1872	1,923,727	602,625	210,276	314,269	2,050,897
1873	1,958,389	854,507	344,300	392,734	3,549,930
1874	1,774,221	587,721	339,590	357,547	3,059,079
1875	1,388,517	331,989	243,300	279,631	2,243,437
1876	1,222,657	361,317	289,900	259,064	2,132,938
1877	1,268,596	330,604	242,400	322,945	2,161,545
1878	1,794,539	510,432	282,060	260,514	2,847,545
1879	1,725,537	582,615	341,450	356,524	3,006,126
1880	1,719,137	691,839	346,960	336,867	3,094,803
1881	1,533,526	708,900	367,876	338,551	2,948,853
1882	1,366,848	816,535	186,800	268,811	2,638,994

The following table presents the exports of hog products from the United States, by countries, for the year ending June 30, 1882, taken from Commerce and Navigation Report of United States for 1882:

	Countries to which exported.	Pork.		Bacon.	
		Pounds.		*Pounds.*	
1	Argentine Republic	.....	.....	.....	.....
2	Austria	.....	.....	.....	.....
3	Belgium	591,430	$48,417	19,660,547	$1,696,150
4	Brazil	52,020	5,640	86,190	10,342
5	Central American States	159,421	14,622	19,480	1,693
6	Chili	26,200	2,087	.....	.....
7	China	14,000	1,298	3,111	480
8	Denmark	9,000	770	2,065,440	163,382
9	Danish West Indies	372,610	34,570	2,711	320
10	France	257,574	22,956	4,776,689	381,375
11	French West Indies	429,510	41,938	100	10
12	French Guiana	70,150	6,672	.....	.....
13	Miquelon, Langley, and St. Pierre Islands	249,715	22,953	.....	.....
14	French East Indies	.....	.....	.....	.....
15	French Poss. in Africa and adjacent islands	1,500	123	.....	.....
16	French Possessions, all other	50,800	4,177	1,803	250
17	Germany	1,109,000	92,546	3,482,623	295,856
18	England	27,032,677	2,298,241	359,840,448	35,871,720
19	Scotland	1,993,017	170,890	24,262,662	2,446,979
20	Ireland	10,000	1,000	.....	.....
21	Gibraltar	.....	.....	1,879	194
22	Nova Scotia, N. Brunswick, and Prince E. Island	1,979,449	161,730	2,432	316
23	Quebec, Ontario, Manitoba, and the N. W. Ter	18,372,222	1,725,972	8,674,246	694,857
24	British Columbia	35,100	3,435	61,584	8,321
25	Newfoundland and Labrador	5,006,100	411,778	13,602	1,493
26	British West Indies	6,435,927	596,537	260,629	28,086
27	British Guiana	3,055,500	289,661	9,532	895
28	British Honduras	481,546	43,510	57,756	5,209
29	British East Indies	.....	.....	.....	.....
30	Hong-Kong	119,200	9,312	4,595	604
31	British Poss. in Africa and adjacent islands	74,500	6,436	.....	.....

	Countries to which exported.	Hams.		Lard.	
		Pounds.		*Pounds.*	
1	Argentine Republic	.....	.....	302,646	$40,500
2	Austria	.....	.....	106,776	11,640
3	Belgium	767,820	$83,472	21,200,192	2,398,716
4	Brazil	8,148	1,158	3,698,462	491,252
5	Central American States	25,744	3,839	189,017	24,685
6	Chili	3,289	516	567,560	73,278
7	China	34,912	5,405	1,940	280
8	Denmark	327	40	6,533,008	751,416
9	Danish West Indies	75,366	8,669	225,817	25,671
10	France	573,622	64,344	31,610,618	3,699,876
11	French West Indies	65,800	8,977	757,288	78,458
12	French Guiana	2,950	310	17,639	2,317
13	Miquelon, Langley, and St. Pierre Islands	8,274	1,080	67,944	8,749
14	French East Indies	.....	.....	100,000	13,000
15	French Poss. in Africa and adjacent islands	.....	.....	2,000	260
16	French Possessions, all other	10,939	1,695	22,390	2,953
17	Germany	397,733	44,024	55,467,728	6,255,827
18	Engiand	27,968,209	3,185,044	75,210,227	8,786,923
19	Scotland	2,968,377	331,755	5,306,937	620,834
20	Ireland	.....	.....	.....	.....
21	Gibraltar	1,244	193	207,700	22,959
22	NovaScotia, N. Brunswick, and Prince E. Island	17,814	2,295	343,493	38,795
23	Quebec, Ontario, Manitoba, and the N. W. Ter.	2,156,605	220,336	5,198,689	609,305
24	British Columbia	51,928	8,267	80,678	12,234
25	Newfoundland and Labrador	144,178	17,636	27,290	3,188
26	British West Indies	690,185	85,284	2,589,700	268,363
27	British Guiana	271,796	29,671	766,767	78,156
28	British Honduras	26,573	3,494	88,500	9,795
29	British East Indies	.....	.....	.....	.....
30	Hong-Kong	11,937	1,902	860	105
31	British Poss. in Africa and adjacent islands	.....	.....	149,253	20,157

The following statement shows the quantities of hog product exported from the United States during the year ending June 30, 1883, and the principal countries to which the same was exported, taken from Commerce and Navigation Report of the United States for 1883:

Countries to which exported.	Pork.		Bacon and hams.		Lard.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
Great Britain—England	14,770,992	$1,398,151	260,094,519	$29,230,372	61,982,126	$7,311,925
Scotland	1,304,724	135,283	20,014,434	2,286,015	5,174,940	628,242
Ireland	6,000	462	.....	.....	11,487	1,362
Germany	1,146,662	108,025	14,708,832	1,469,283	41,872,915	4,867,142
France	109,400	10,854	252,891	29,246	31,794,241	3,727,926
Belgium	141,025	13,566	12,864,971	1,298,507	14,384,359	1,723,356
Netherlands	170,400	17,226	2,933,206	309,289	4,384,553	521,873
Denmark	.....	.....	6,914,231	644,545	5,996,373	684,410
Other countries in Europe	52,822	5,313	5,321,868	563,934	2,078,501	248,625
Cuba	915,584	113,268	4,433,114	603,255	21,405,360	2,471,774
Hayti	5,463,330	570,061	142,497	22,895	1,315,410	181,399
Porto Rico	1,828,603	206,522	644,498	91,163	2,340,899	298,977
Other West India islands	7,263,172	743,733	1,057,503	146,315	3,753,276	426,035
Mexico	24,284	2,911	243,583	37,955	1,392,134	163,797
British Guiana	2,458,950	247,381	242,645	31,866	659,956	64,865
United States of Colombia	466,085	49,693	197,985	31,857	5,859,185	729,537
Central American States	177,045	18,304	54,018	8,093	288,288	38,665
Brazil	20,340	2,193	129,805	17,768	3,426,275	468,874
Venezuela	30,850	3,845	175,251	28,477	2,484,228	322,532
Other So. & Cen. Am. countr's.	1,827,212	194,229	299,711	34,863	1,467,132	192,821
Que., Ont., Man., & N. W. Ter	17,021,015	1,714,543	8,509,912	1,121,519	11,280,652	1,363,825
Canadian Maritime Provinces	6,127,322	556,864	226,092	27,879	535,790	61,352
British Columbia	31,200	3,885	410,569	57,549	126,636	19,000
China, Japan, and East Indies	155,700	15,598	75,044	13,212	14,400	2,122
Africa and adjacent islands	146,070	15,069	55,138	7,059	354,593	49,558
Hawaiian Islands	150,900	14,679	208,028	35,199	204,250	30,763
All other countries and islands	299,615	31,110	48,325	7,837	130,515	17,292
Total—Year ended June 30 '83	62,116,302	6,192,268	340,258,670	38,155,952	224,718,474	26,618,048
'82	80,447,466	7,201,270	468,026,640	46,675,774	250,367,740	28,975,902
'81	107,928,086	8,272,285	746,944,545	61,161,205	378,142,496	35,226,575
'80	95,949,780	5,930,252	759,773,109	50,987,623	374,979,286	27,920,367
'79	84,401,676	4,807,568	732,249,576	51,074,433	326,658,686	22,856,673

The following table shows the weekly exports of hog product from the principal Atlantic ports during 1883, compiled from current weekly returns, but not official:

Week ended—	From New York.			From Boston, Portland, Philadelphia, Baltimore, New Orleans, and Montreal.		
	Pork.	Bacon and hams.	Lard.	Pork.	Bacon and hams.	Lard.
	Barrels.	*Pounds.*	*Pounds.*	*Barrels.*	*Pounds.*	*Pounds.*
Jan. 6	4,590	11,546,863	7,346,131	1,373	7,706,500	2,991,748
13	5,480	11,852,117	5,255,284	812	4,198,615	1,997,980
20	4,831	9,168,920	3,346,505	2,582	2,784,276	894,254
27	3,743	7,476,379	4,945,911	1,456	4,575,800	2,235,210
Feb. 3	4,477	6,828,636	3,784,885	400	8,642,483	1,403,345
10	4,470	8,555,488	3,265,028	850	4,234,884	1,930,906
17	3,594	6,598,480	3,666,013	608	[illegible],813,364	2,797,572
24	3,500	7,297,641	2,141,727	1,705	2,111,929	1,612,386
Mar. 3	3,176	6,980,779	4,521,478	1,177	2.080,735	1,251,858
10	4,056	7,226,877	2,627,330	850	3,742,729	259,601
17	4,185	7,822,210	4,067,343	682	1,479,406	465,560
24	3,621	4,790,481	2,174,608	1,026	3,497,351	216,977
31	2,280	3,970,060	3,033,023	1,032	1,836,166	512,798
Apr. 7	3,614	5,377,156	2,586,074	1,137	5,188,879	810,879
14	4,3.9	4,810,434	2,539,182	1,455	2,568,027	306,700
21	3,314	4,997,330	4,167,252	1,845	2,993,106	512,074
28	4,154	4,430,453	4,327,087	786	1,386,000	313,418
May 5	2,401	3,576,874	2,059,772	488	2,320,150	495,601
12	3,144	2,466,564	2,465,679	1,202	1,338,539	643,930
19	3,240	2,561,544	2,156,875	611	1,060,333	1,709,940
26	1,789	2,587,435	2,157,028	893	1,421,065	1,565,474
June 2	1,523	2,003,804	2,646,772	994	1,407,925	500,526
9	2,223	2,883,515	2,588,139	1,181	2,235,970	985,305
16	2,883	2,153,964	2,621,648	362	908,783	493,314
23	2,094	3,357,003	2,766,038	167	2,047,918	275,813
30	3,504	2,316,506	4,376,733	994	2,996,761	620,699
July 7	2,970	2,803,531	3,825,536	1,411	2,353,600	2,624,069
14	2,950	3,114,302	7,628,762	1,107	2,645,967	5,161,007
21	3,272	3,716,134	7,184,215	1,113	3,366,535	7,075,946
28	3,640	3,622,784	6,392,057	4,015	6,017,080	3,221,061
Aug. 4	3,955	5,341,871	6,788,266	2,202	3,978,045	3,857,639
11	2,171	4,820,687	4,836,339	301	5,094,019	2,936,286
18	3,089	5,596,746	5,630,870	1,473	4,577,882	1,719,875
25	2,271	5,447,195	5,160,990	585	3,897,556	858,491
Sept. 1	2,533	4,132,348	6,405,536	1,708	3,144,025	766,761
8	1,259	5,586,981	4,793,285	2,235	2,078,785	1,673,964
15	2,643	3,455,752	3,437,944	482	5,273,904	2,067,887
22	3,216	4,128,479	4,501,327	1,230	2,244,922	872,203
29	3,559	4,797,526	3,238,472	964	2,409,781	1,500,602
Oct. 6	3,430	3,484,373	3,033,172	1,735	2,315,349	1,327,975
13	2,664	3,778,950	2,754,110	1,484	2,083,335	430,690
20	3,829	5,626,658	2,646,620	1,063	1,962,993	357,465
27	4,328	4,803.011	2,104,206	1,330	4,064,256	608,030
Nov. 3	4,420	4,151,073	2,412,176	2,110	2,388,059	415,033
10	3,345	3,693,208	4,013,180	1,817	2,285,827	457,777
17	5,309	4,626,850	6,263,899	1,495	2,146,586	789,233
24	4,961	4,953,031	4,119,020	672	2,134,700	902,499
Dec. 1	2,262	7,835,103	5,701,249	862	5,612,313	669,658
8	4,704	6,387,833	4,892,115	1,992	4,914,395	1,520,235
15	5,990	9,795,311	9,285,550	846	5,645,010	2,363,217
22	5,424	8,961,520	2,710,976	383	2,632,806	862,119
29	3,768	7,372,085	2,941,404	1,250	3,770,882	1,825,991

Total exports of hog product from the principal Atlantic ports during the years 1879 *to* 1883, *inclusive.*

Year.	From New York.			From Boston, Portland, Philadelphia, Baltimore, New Orleans, and Montreal.		
	Pork.	Bacon and hams.	Lard.	Pork.	Bacon and hams.	Lard.
	Barrels.	*Pounds.*	*Pounds.*	*Barrels.*	*Pounds.*	*Pounds.*
1883.....	182,167	275,670,855	208,334,821	62,533	160,616,311	74,669,581
1882.....	184,049	214,752,919	180,512,147	40,824	117,924,126	53,127,403
1881.....	235,731	349,876,366	233,237,428	53,782	265,024,067	68,188,948
1880.....	282,261	511,317,129	293,745,050	58,969	288,069,645	97,284,391
1879.....	304,880	503,867,149	243,281,844	55,206	236,460,063	84,819,335

To show the progress made in exportation of products of agriculture in a half century or more, the following figures from the records of the Bureau of Statistics are given, taken from the Report of the Commissioner of Agriculture for 1883, p. 328:

Year ended June 30—	Value of exports of domestic merchandise.	Value of exports of products of domestic agriculture.	Per cent. of products of agriculture.
	Dollars.	*Dollars.*	
1820*	51,683,640	41,657,673	80.60
1830*	58,524,878	48,095,184	82.18
1840*	111,660,561	92,548,067	82.93
1850	134,900,233	108,605,713	80.51
1860	316,242,423	256,560,972	81.14
1870	455,208,341	361,188,483	79.34
1880	823,946,353	683,010,976	82.90
1881	883,925,947	729,650,016	82.55
1882	733,239,732	552,219,819	75.31

* Year ended September 30.

The increase in number of farms, in improved (or tillable) acres, and in the total area of land in farms is thus shown from the records of the national census:

Years.	Number of farms.	Improved.	Total.
		Acres.	*Acres,*
1850	1,449,073	113,032,614	293,560,614
1860	2,044,077	163,110,720	407,212,538
1870	2,659,985	188,921,099	407,735,041
1880	4,008,907	284,771,042	536,081,835

The product of corn is nearly three times as much as in 1849, while the wheat aggregate is more than four times as large. The progress in grain-growing has entirely outstripped the advance in population. It is shown from the census exhibits as follows, though it should be remembered that the corn crop in 1869 was a comparative failure—25 per cent. less than the acreage would have yielded in a good year:

Years.	Corn.	Wheat.
	Bushels.	*Bushels.*
1849	592,071,104	100,485,944
1859	838,792,742	173,104,924
1869	760,944,549	287,745,626
1879	1,754,591,676	459,483,137

The nations most affected by competitive exportation from the United States are Great Britain, France, and Germany. To show the principal American exports to those nations, the following tables have been prepared from Reports of Commerce and Navigation, excluding the minor articles, which might extend the list without enlarging much the volume of quantity or value.

In the past ten years the exports to France have averaged $58,457,124, a trifle more than the imports. The exports to Germany have averaged $57,713,236; the imports, $44,526,702. Great Britain and Ireland (the

"United Kingdom") have been the best customers, buying annually to the value of $374,088,360, and sending in return to the United States goods worth $160,627,212, showing a difference of over $213,000,000 per annum.

An examination of the details of this trade will illustrate the bearing of competition upon the agriculture of these countries:

Years.	Value of all exports.			Value of all imports.		
	Great Britain and Ireland.	France.	Germany.	Great Britain and Ireland.	France.	Germany.
1873	$316, 861, 874	$33, 781, 506	$61, 590, 047	$237, 298, 218	$33, 977, 200	$61, 401, 756
1874	345, 359, 584	42, 964, 311	62, 993, 225	180, 042, 813	51, 691, 896	43, 909, 852
1875	317, 111, 142	33, 632, 727	50, 466, 025	155, 297, 944	59, 773, 148	40, 247, 712
1876	336, 052, 050	39, 792, 702	50, 629, 072	123, 373, 281	50, 959, 577	35, 319, 462
1877	345, 961, 055	45, 139, 918	58, 107, 433	113, 734, 258	47, 556, 292	32, 509, 365
1878	387, 430, 730	55, 319, 138	54, 809, 845	107, 290, 677	43, 378, 870	34, 790, 103
1879	348, 828, 439	89, 669, 627	57, 057, 245	108, 538, 812	50, 684, 601	35, 519, 818
1880	453, 796, 497	100, 063, 044	57, 062, 263	210, 613, 694	69, 344, 412	52, 211, 237
1881	481, 135, 078	94, 197, 451	70, 188, 252	174, 493, 738	69, 806, 375	52, 989, 181
1882	408, 347, 155	50, 010, 818	54, 228, 953	195, 588, 692	88, 897, 606	56, 368, 542
Total	3, 740, 883, 604	584, 571, 242	577, 132, 360	1, 606, 272, 127	566, 069, 977	445, 267, 028

The following statistics from the Report of the Commissioner of Agriculture for the year 1883, p. 352, are necessary to a complete view of this branch of the subject:

The value of agricultural exports of the past year (1883) is greater than those of any previous years except 1880 and 1881. The value of manufactures exported was absolutely greater than that of any previous year. It is a hopeful indication, as the prosperity of the American farmer depends upon that of American producers in other industries, and not upon the prosperity of foreign manufacturers. The following statement of progress in exportation is from the records of the Bureau of Statistics of the Treasury Department:

Years.	Value of exports of domestic merchandise.	Value of exports of products of domestic agriculture.	Value of exports of merchandise other than products of domestic agriculture.	Per cent of products of agriculture.
1820*	$51, 683, 640	$41, 657, 673	$10, 025, 967	80. 60
1830*	58, 524. 878	48, 095, 184	10, 429, 694	82. 18
1840*	111, 660, 561	92, 548, 067	19, 112, 494	82. 93
1850	134, 900, 233	108, 605, 713	26, 294, 520	80. 51
1860	316, 242, 423	256, 560, 972	59, 681, 451	81. 14
1870	455, 208, 341	361, 188, 483	94, 019, 858	79. 34
1871	478, 115, 292	368, 466, 011	109, 649, 281	77. 07
1872	476, 421, 478	368, 796, 625	107, 624, 853	77. 41
1873	575, 227, 017	446, 900, 004	128, 327, 013	77. 69
1874	633, 339, 368	501, 371, 501	131, 967, 867	79. 16
1875	559, 237, 638	430, 306, 570	128, 931, 068	76. 95
1876	594, 917, 715	456, 113, 515	138, 804, 200	76. 67
1877	632, 980, 854	459, 734, 148	173, 246, 706	72. 63
1878	695, 749, 930	536, 192, 843	159, 557, 057	77. 07
1879	699, 538, 742	546, 476, 703	153, 062, 039	78. 12
1880	823, 946, 353	685, 961, 091	137, 985, 262	83. 25
1881	883, 925, 947	730, 394, 943	153, 531, 004	82. 63
1882	733, 239, 732	552. 219, 819	181, 019, 913	75. 31
1883	804, 223, 632	619, 269, 449	184, 954, 183	77. 00

*Year ended September 30.

The proportions of exports by classes of industry for the past two years are as follows:

Products of—	1882.		1883.	
	Value.	er cent. of total.	Value.	Per cent. of total.
Agriculture	$552,219,819	75.31	$619,269,449	77.00
Manufactures	103,132,481	14.07	111,890,001	13.91
Mining (including mineral oils)	56,278,887	7.67	51,444,857	6.40
Forestry	9,138,934	1.25	9,976,143	1.24
The fisheries	6,197,752	.85	6,276,375	.78
All other commodities	6,271,859	.85	5,366,807	.67
Total	733,239,732	100.00	804,223,632	100.00

Value of products of domestic agriculture exported from the United States to foreign countries during the years ending June 30, 1882 and 1883.

Articles.	Fiscal year 1882.	Fiscal year 1883.
Animals, living:		
Hogs	$509,651	$272,516
Horned cattle	7,800,227	8,341,431
Horses	470,183	475,806
Mules	320,130	486,560
Sheep	603,778	1,154,856
All other, and fowls	25,147	58,099
Bones and bone-dust	41,266	59,103
Bread and breadstuffs:		
Barley	151,575	299,137
Bread and biscuits	781,292	829,281
Indian corn	28,845,830	27,756,082
Indian-corn meal	994,201	980,798
Oats	298,349	233,843
Rye	946,086	1,657,998
Rye flour	28,593	25,070
Wheat	112,929,718	119,879,341
Wheat flour	36,375,055	54,824,459
Other small grain and pulse	664,687	567,012
Maizena, farina, and all other preparations of breadstuffs used as food	655,142	987,829
Cotton, unmanufactured	199,812,644	247,328,721
Fruits:		
Apples, dried	228,945	786,800
Apples, green or ripe	539,543	1,085,230
Other fruit, green, ripe, or dried	322,229	447,395
Preserved, in cans or otherwise	659,681	686,517
Glue	46,274	62,210
Hair, unmanufactured	267,643	438,897
Hay	190,170	261,614
Hemp, unmanufactured	21	76
Hides and skins other than fur	1,449,737	1,220,158
Hops	1,456,786	5,616,370
Oil-cake	6,302,828	6,061,699
Oils, animal:		
Lard	434,124	353,184
Neat's-foot, and other animal	53,736	64,405
Oils, vegetable:		
Cotton-seed	330,260	216,779
Linseed	35,970	34,468
Provisions:		
Bacon and hams	46,675,774	38,155,952
Beef, fresh	6,768,881	8,342,131
Beef, salted or cured	3,902,556	3,742,282
Butter	2,864,570	2,290,665
Cheese	14,058,975	11,134,526
Condensed milk	200,490	180,505
Eggs	28,262	75,080
Lard	28,975,902	26,618,048
Meats, preserved	4,208,608	4,578,902
Mutton, fresh	131,641	188,172
Pork	7,201,270	6,192,268
Onions	61,299	44,074
Potatoes	441,816	428,478
Other vegetables, raw, prepared, or preserved	309,891	222,124
Rice	10,109	8,679

Value of products of domestic agriculture exported from the United States, etc.—Continued.

Articles.	Fiscal year 1882.	Fiscal year 1883.
Seed:		
Cotton	$114,683	$108,491
Clover, timothy, garden, and all other	4,104,917	4,311,919
Sugar, brown	4,251	148,957
Tallow	4,015,798	3,248,749
Tobacco, leaf	19,067,721	19,438,066
Wax (bees')	32,325	17,604
Wine	67,909	77,280
Wool, unmanufactured	37,927	22,114
Unmanufactured articles:		
Bladders	6,906	5,115
Bristles	12,180	10,053
Broom-corn	170,137	173,468
Bulbs	10,834	332
Casings	271,503	359,446
Cotton, in seed	4,384	1,256
Cotton, short	.....	375
Feathers, crude	16,476	6,312
Flax, tow of	120	.....
Grasses and flowers	2,655	286
Honey, unstrained	19,082	27,826
Hoofs	16,505	36,594
Horns and horn-tips	35,622	54,374
Mohair	399	.....
Nuts of all kinds	134	591
Plants and trees	32,705	21,172
Rennets	1,143	1,301
Rice-root	12,622	6,900
Silk, raw	.....	7,136
Teasels	5,606	2,404
Vine-cuttings (grape)	36,759	16,804
Manufactured articles:		
Blood, prepared	8,936	2,600
Butter, imitation	312,854	271,699
Cider	9,810	36,466
Cotton-seed meal	2,921	247,464
Cotton-seed foots	.....	801
Glucose (grape sugar)	181,411	196,114
Glue, liquid	604	.....
Grease not elsewhere specified	248,768	206,432
Grease, pulp	.....	4,500
Honey, strained	30,592	4,907
Horn strips and horn waste	5,555	.....
Linseed meal	.....	420
Malt	12,295	21,208
Mill-feed	30,665	39,990
Oil-cake meal	58,730	7,547
Oils: oleomargarine (the oil)	2,703,038	4,273,220
Olive butter	.....	12,074
Poultry, dressed	173	.....
Silk waste and noils	21,571	9,265
Sirup	2,763	1,294
Soap stock	44,243	26,250
Sugar, beet	896	.....
Tallow, scraps	31,746	46,730
Total value of exports of agricultural products	552,219,819	619,269,449

VALUE OF THE CORN CROP OF THE UNITED STATES.

The importance of this subject will be apparent if we look at it from another stand-point, viz, the value of our corn crop.

The following table from the Report of the Commissioner of Agriculture of 1881–'82, p. 580, presents the annual estimates of acreage, product, and value for a series of years. The abnormal extraordinary increase of recent years made it difficult to keep pace with advancing production, as is shown by the record for 1879, which is widely at variance with the census returns for that year. In other crops the difference is usually slight between the two records, but in the corn estimate it is evident that the Department figures are quite too low. The table should be studied in connection with the variable character of the

seasons, and with the prices per bushel, as they will in the main bear close scrutiny and afford reliable evidence of comparative accuracy.

Calendar years.	Total production.	Total area of crop.	Total value of crop.	Average value per bushel.	Average yield per acre.	Average value of yield per acre.
	Bushels.	*Acres.*		*Cents.*	*Bushels.*	
1871	991, 898, 000	34, 091, 137	$478, 275, 900	48. 2	29. 1	$14. 02
1872	1, 092, 719, 000	35, 526, 836	435, 149, 290	39. 8	30. 7	12. 24
1873	932, 274, 000	39, 197, 148	447, 183, 020	48. 0	23. 8	11. 41
1874	850, 148, 500	41, 036, 918	550, 043, 080	64. 7	20. 7	13. 40
1875	1, 321, 069, 000	44, 841, 371	555, 445, 930	42. 0	29. 4	12. 38
1876	1, 283, 827, 500	49, 033, 364	475, 491, 210	37. 0	26. 1	9. 69
1877	1, 342, 558, 000	50, 369, 113	480, 643, 400	35. 8	26. 6	9. 54
1878	1, 388, 218, 750	51, 585, 000	441, 153, 405	31. 8	26. 9	8. 55
1879	1, 547, 901, 790	53, 085, 450	580, 486, 217	37. 5	29. 2	10, 93
1880	1, 717, 434, 543	62, 317, 842	679, 714, 499	39. 6	27. 6	10. 91
1881	1, 194, 916, 000	64, 262, 025	759, 482, 170	63. 6	18. 6	11. 82
Total	13, 662, 965, 083	525, 346, 204	5, 883, 068, 121	.....	.....	.....
Annual average	1, 242, 087, 735	47, 758, 746	534, 824, 375	43. 1	26	11. 20

The following table, from the report of the Commissioner of Agriculture for 1883, page 266, presents the summary for each State, showing the product, the area, and the value, etc. :

States and Territories.	Corn.		
	Bushels.	Acres.	Value.
Maine	904, 400	30, 987	$832, 048
New Hampshire	870, 700	37, 269	835, 872
Vermont	1, 930, 300	56, 916	1, 814, 482
Massachusetts	1, 237, 200	57, 120	1, 175, 340
Rhode Island	277, 900	12, 100	255. 668
Connecticut	1, 155, 800	57, 577	1, 109, 568
New York	21, 187, 500	769, 115	16, 314, 375
New Jersey	9, 942, 800	343, 536	7, 556, 528
Pennsylvania	43, 518, 800	1, 388, 145	30, 463, 160
Delaware	3, 936, 600	208, 182	2, 322, 594
Maryland	17, 904, 700	691, 542	10, 384, 726
Virginia	35, 904, 000	1, 881, 568	19, 029, 120
North Carolina	34, 260, 700	2, 446, 056	18, 158, 171
South Carolina	16, 356, 200	1, 361, 256	11, 122, 216
Georgia	36. 617, 500	2, 747, 005	23, 801, 375
Florida	3, 708, 900	392, 073	2, 967, 120
Alabama	31, 982, 500	2, 300, 341	19, 188, 500
Mississippi	30, 233, 600	1, 798, 944	16, 628, 480
Louisiana	14, 636, 400	790, 336	8, 781, 840
Texas	63, 416, 300	3, 280, 329	36, 781, 454
Arkansas	34, 485, 900	1, 596, 672	15, 803, 514
Tennessee	75, 188, 600	3, 119, 371	31, 579, 212
West Virginia	14, 927, 000	588, 233	8, 657, 660
Kentucky	75, 500, 900	3, 103, 248	39, 260, 468
Ohio	93, 319, 200	2, 977, 680	57, 857, 904
Michigan	28, 581, 600	929, 760	16, 863, 144
Indiana	107, 484, 300	3, 438, 332	51, 592, 464
Illinois	182, 336, 900	7, 914, 042	85, 698, 343
Wisconsin	32, 201, 600	1, 117, 240	17, 066, 848
Minnesota	21, 127, 600	661, 050	9, 507, 420
Iowa	175, 487, 600	6, 777, 302	66, 685, 288
Missouri	170, 037, 000	5, 763, 102	66, 614, 430
Kansas	144, 452, 600	4, 280, 430	53, 447, 462
Nebraska	82, 478, 200	2, 364, 120	27, 217, 806
California	2, 790, 900	98, 634	2, 372, 265
Oregon	130, 000	5, 450	104, 000
Nevada	18, 000	830	16, 200
Colorado	422, 400	21, 076	380, 160
Arizona	57, 000	2, 709	62, 700
Dakota	4, 650, 000	186, 247	2, 371, 500
Idaho	45, 000	1, 580	47, 250
Montana	18, 000	492	18, 900
New Mexico	965, 000	45, 594	1, 061, 500
Utah	275, 000	13, 208	247, 500
Washington	62, 000	2, 646	49, 600
Wyoming	.....	.....	.....
Indian Territory	.....	.....	.....
Total	1, 617, 025, 100	65, 659, 546	783, 867, 175

The following table presents the acreage, product, and home value of the corn crop of the United States for the year 1880, as finally estimated by the United States Agricultural Department:

States.	Corn.		
	Acres.	Bushels.	Home value.
Maine	31,000	1,108,020	$853,175
New Hampshire	36,890	1,401,820	1,023,329
Vermont	56,300	1,801,600	1,279,136
Massachusetts	55,900	1,875,330	1,466,497
Rhode Island	12,106	363,180	326,862
Connecticut	55,900	1,621,100	1,215,825
New York	801,600	27,895,680	15,900,538
New Jersey	347,200	14,235,200	8,256,416
Pennsylvania	1,374,500	56,804,700	29,576,491
Delaware	202,120	6,467,840	3,233,920
Maryland	678,190	21,702,080	10,634,019
Virginia	1,809,200	45,230,000	18,996,600
North Carolina	2,253,300	36,954,120	19,216,142
South Carolina	1,263,000	11,745,900	9,044,343
Georgia	2,384,700	21,939,240	15,138,076
Florida	374,700	3,522,180	2,993,853
Alabama	1,828,980	22,679,552	15,195,166
Mississippi	1,590,300	23,218,380	14,627,579
Louisiana	784,886	14,912,720	9,096,759
Texas	2,670,180	66,754,500	35,379,885
Arkansas	1,595,010	32,350,250	15,851,622
Tennessee	2,788,830	62,569,792	22,489,125
West Virginia	576,900	17,307,000	8,134,290
Kentucky	2,956,700	86,039,970	32,695,189
Ohio	3,198,400	119,940,000	49,175,400
Michigan	855,430	34,816,001	16,015,360
Indiana	3,421,700	99,229,300	39,691,720
Illinois	8,810,180	240,452,896	86,563,043
Wisconsin	1,023,254	33,767,382	13,169,279
Minnesota	442,230	15,478,050	5,572,098
Iowa	6,847,180	260,192,840	67,650,138
Missouri	5,650,120	160,463,408	57,766,827
Kansas	3,625,200	106,218,360	30,803,324
Nebraska	1,919,600	59,507,600	14,876,900
California	80,650	2,580,800	1,961,408
Oregon	4,850	113,005	92,664
Colorado, Nevada, and the Territories	181,282	5,274,947	3,811,501
Total for 1880	62,317,842	1,717,434,543	679,714,499
1879	53,085,450	1,547,901,790	580,486,217
1878	51,585,000	1,388,218,750	441,153,405
1877	50,369,113	1,342,250,000	480,643,400
1876	49,038,364	1,283,827,500	475,491,210
1875	44,841,371	1,321,069,000	555,445,930
1874	41,036,918	850,148,500	550,043,080
1873	39,197,148	932,274,000	447,183,020
1872	35,526,836	1,092,719,000	435,149,290
1871	34,091,137	991,898,000	478,275,900

In order to present the comparative value of the corn crop, the following table is presented, showing the corn crop of the United States for the years 1882 and 1881. This presents the estimate of the United States Agricultural Department of the product of corn grown in the United States in 1882, and the final estimate for the same crop harvested in 1881:

States.	1882.			1881.		
	Wheat.	Corn.	Oats.	Wheat.	Corn.	Oats.
Maine	512,100	904,000	1,776,750	617,000	1,064,000	2,369,000
New Hampshire	148,700	870,700	1,030,000	175,000	1,262,000	1,030,000
Vermont	378,000	1,930,300	3,445,350	378,000	1,990,000	3,345,000
Massachusetts	20,100	1,237,200	703,000	19,000	1,406,000	703,000
Rhode Island	.....	277,900	155,800	260	327,000	164,000
Connecticut	43,600	1,155,800	1,048,380	39,000	1,427,000	1,038,000
New York	12,145,200	20,687,500	40,068,000	10,844,000	20,086,000	38,160,000
New Jersey	2,098,700	9,942,800	3,808,880	2,108,000	7,829,000	4,052,000
Pennsylvania	20,300,700	41,518,800	34,721,100	18,797,000	34,599,000	38,579,009
Delaware	1,200,600	3,936,600	391,840	1,044,000	2,940,000	316,000
Maryland	8,655,600	17,904,700	1,658,930	7,213,000	16,277,000	1,823,000
Virginia	8,311,400	35,904,000	3,551,420	7,165,000	37,200,000	4,331,000
North Carolina	5,494,800	34,260,700	5,713,400	4,579,000	26,977,000	4,081,000
South Carolina	1,729,000	15,856,200	4,430,140	988,000	8,809,000	3,098,000
Georgia	3,812,900	29,617,500	7,235,800	2,933,000	19,745,000	5,566,000
Florida	600	3,708,900	.....	480	3,170,000	392,000
Alabama	1,700,800	30,982,500	3,994,900	1,479,000	20,250,000	3,073,000
Mississippi	250,100	28,233,600	3,080,850	197,000	17,646,000	2,185,000
Louisiana	7,000	14,636,400	527,800	5,350	9,693,000	364,000
Texas	4,173,700	63,416,300	9,239,640	3,339,000	33,377,000	8,324,000
Arkansas	1,566,100	34,485,900	3,131,580	1,017,000	21,028,000	2,337,000
Tennessee	8,971,200	73,188,600	7,129,560	6,408,000	36,232,000	6,726,000
West Virginia	4,854,300	14,927,000	1,678,400	4,413,000	12,980,000	2,098,000
Kentucky	17,250,000	79,500,900	7,579,440	8,625,000	51,624,000	6,534,000
Ohio	45,453,600	93,319,200	16,732,154	38,520,000	79,760,000	25,009,000
Michigan	33,315,400	30,081,600	18,057,000	21,220,000	25,068,000	18,057,000
Indiana	45,461,800	107,484,300	18,696,090	31,353,000	79,618,000	15,711,000
Illinois	52,302,900	187,336,900	99,141,000	26,822,000	176,733,000	66,094,000
Wisconsin	20,145,400	30,201,600	34,324,400	17,987,000	29,040,000	31,304,000
Minnesota	37,030,500	21,127,600	29,700,000	35,952,000	16,252,000	23,760,000
Iowa	25,487,200	178,487,600	44,555,700	18,248,000	173,289,000	42,434,000
Missouri	27,538,600	174,037,000	30,073,560	20,399,000	93,069,000	22,783,000
Kansas	33,248,600	150,452,600	12,780,840	19,909,000	76,377,000	8,754,000
Nebraska	14,947,200	82,478,200	9,417,700	13,840,000	58,913,000	6,976,000
California	34,546,600	2,790,900	1,548,000	28,406,000	2,633,000	1,548,000
Oregon	12,039,300	101,000	4,433,520	12,673,000	101,000	5,278,000
Nevada	49,400	11,700	193,800	48,000	13,000	190,000
Colorado	1,598,200	422,400	902,076	1,310,000	352,000	771,000
The Territories	16,000,000	7,500,000	9,000,000	11,300,000	5,761,000	7,224,000
Total	502,789,300	1,624,917,800	475,656,794	380,280,090	1,194,916,000	416,481,000

Crops of the United States for the year 1883. Preliminary (December 1) estimate of the United States Agricultural Department of the crops of wheat, corn, and oats produced in 1883.

States and Territories.	WHEAT.			CORN.			OATS.		
	Acres.	Yield per acre, bush.	Product, bushels.	Acres.	Yield per acre, bush.	Product, bushels.	Acres.	Yield per acre, bush.	Product, bushels.
Maine	43,263	14.2	614,300	30,367	35.0	1,062,800	84,579	31.5	2,665,000
New Hampshire	11,500	15.8	181,700	38,014	36.0	1,368,500	29,697	34.8	1,033,000
Vermont	21,573	16.4	353,700	58,623	31.0	1,817,300	102,505	34.6	3,548,600
Massachusetts	1,180	16.7	19,700	58,262	35.0	2,039,100	23,098	31.3	724,000
Rhode Island	.....	.....	.....	12,947	32.0	414,300	5,882	30.4	179,100
Connecticut	2,171	15.8	34,300	57,001	30.0	1,710,000	37,141	29.6	1,100,700
New York	780,124	10.3	8,035,200	761,423	23.0	17,512,700	1,344,637	31.3	42,071,400
New Jersey	154,000	13.4	2,063,600	346,971	28.0	9,715,100	130,873	32.6	4,265,800
Pennsylvania	1,518,474	13.2	20,043,800	1,402,127	27.0	37,857,400	1,247,868	30.6	38,193,200
Delaware	93,860	10.3	966,700	212,346	18.0	8,822,200	21,664	23.9	517,600
Maryland	626,200	12.1	7,577,000	691,542	23.5	16,251,200	100,323	20.2	2,023,800
Virginia	928,089	9.0	8,352,800	1,919,199	14.0	26,868,700	628,434	10.0	6,275,600
North Carolina	717,100	5.9	4,230,800	2,494,977	11.5	28,692,200	593,890	8.7	5,142,000
South Carolina	218,500	5.2	1,136,200	1,388,481	8.0	11,107,800	362,805	9.8	3,544,000
Georgia	504,900	5.1	2,574,900	2,829,415	8.7	24,615,900	780,682	9.0	7,018,700
Florida	.....	.....	.....	399,914	8.5	3,399,200	51,528	9.8	504,500
Alabama	276,450	5.2	1,437,500	2,277,338	11.5	26,189,300	427,199	10.6	4,517,300
Mississippi	49,500	5.0	247,500	1,870,902	13.5	25,257,100	274,236	11.5	3,142,400
Louisiana	.....	.....	.....	924,693	14.2	13,130,600	34,096	13.9	475,000
Texas	506,000	8.5	4,301,000	3,608,362	17.5	63,146,300	416,096	22.8	9,489,300
Arkansas	232,200	6.1	1,416,400	1,740,372	17.5	30,456,500	223,961	14.4	3,225,400
Tennessee	1,323,000	5.6	7,408,800	3,212,952	20.0	64,259,000	586,490	11.9	6,997,700
West Virginia	425,700	10.0	4,257,000	588,233	24.3	14,290,000	129,829	15.6	2,020,300
Kentucky	1,248,390	7.7	9,612,600	3,258,410	24.0	78,201,800	422,628	16.3	6,899,900
Ohio	2,588,400	10.0	25,884,000	2,818,480	26.1	73,560,000	871,250	33.9	29,560,000
Michigan	1,786,500	14.0	25,011,000	911,165	23.5	21,412,300	580,451	34.6	20,061,300
Indiana	2,735,370	10.4	28,447,800	3,541,482	27.0	95,620,000	717,560	29.7	21,304,100
Illinois	2,215,000	10.0	22,150,000	8,151,463	25.0	203,786,500	2,848,555	36.1	102,780,000
Wisconsin	1,593,900	12.3	19,604,900	1,122,826	21.0	23,579,300	1,331,392	30.4	40,502,700
Minnesota	2,597,940	13.0	33,773,200	727,155	20.8	15,124,800	949,200	33.1	31,447,500
Iowa	2,435,300	11.3	27,518,800	6,980,621	24.3	169,629,000	2,005,569	34.1	68,403,600
Missouri	2,358,350	10.1	23,819,300	5,878,364	27.5	161,655,000	1,057,422	28.7	30,374,200
Kansas	1,534,350	17.5	26,851,100	4,708,473	36.7	172,800,900	699,476	39.4	27,560,000
Nebraska	1,772,990	15.5	27,481,300	2,813,303	36.0	101,278,900	540,161	40.0	21,630,000
California	2,794,000	13.0	36,322,000	100,607	24.5	2,464,800	70,858	25.8	1,826,600
Oregon	795,300	16.5	13,122,400	5,504	23.5	129,300	170,993	24.6	4,211,800
Nevada	5,424	18.3	99,200	847	25.0	21,100	7,344	28.9	212,100
Colorado	114,000	21.0	2,394,000	21,287	25.0	532,100	41,250	29.3	1,209,000
Arizona	.....	.....	.....	2,736	20.0	54,700	.....	.....	.....
Dakota	1,008,000	16.0	16,128,000	270,058	18.2	4,915,055	210,000	42.9	9,000,000
Idaho	.....	.....	.....	1,627	20.0	32,500	30,450	37.4	1,140,000
Montana	57,796	16.3	942,000	502	20.0	10,040	32,200	37.6	1,210,000
New Mexico	65,195	15.0	977,900	46,506	20.0	930,100	11,760	17.0	199,800
Utah	83,130	19.0	1,579,400	13,340	21.0	280,100	24,050	22.7	546,000
Washington	170,200	18.7	3,182,700	2,672	23.0	61,400	62,540	39.7	2,480,400
Wyoming	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals	36,393,319	11.5	420,154,500	68,301,889	22.7	1,551,066,895	20,322,622	28.1	571,233,400

The following statement shows the number of acres under cultivation in wheat, corn, and oats in the State of Illinois, in 1881, by counties; also the product of each county, in bushels, by the latest estimate of the State department of agriculture:

Counties.	Winter wheat.		Spring wheat.		Corn.		Oats.	
	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.
Adams	85,125	794,500	178	1,602	85,239	2,727,648	25,112	1,130,040
Alexander	6,853	70,814	.....	.....	6,488	77,856	321	6,099
Bond	32,327	210,125	.....	.....	38,340	115,020	7,900	268,600
Boone	1,456	11,648	1,134	10,206	32,591	1,042,912	25,380	761,400
Brown	24,454	244,540	.....	.....	30,610	979,520	5,001	175,035
Bureau	1,553	12,424	6,267	56,403	175,577	4,038,271	38,618	1,351,630
Calhoun	22,118	199,062	.....	.....	13,964	279,280	1,119	36,927
Carroll	3,149	15,745	2,015	18,135	67,168	2,015,040	33,287	1,331,480
Cass	12,934	84,071	452	6,780	28,984	869,520	5,049	212,058
Champaign	30,000	322,500	300	2,700	200,000	4,400,000	45,000	1,890,000
Christian	49,182	271,051	401	2,807	145,634	3,203,948	14,976	569,088
Clark	52,323	260,615	.....	.....	37,497	262,479	4,498	71,968
Clay	40,026	173,446	4	36	29,171	87,513	8,255	264,160
Clinton	88,066	528,396	.....	.....	45,140	90,280	16,056	561,960
Coles	25,946	207,568	163	1,467	65,128	1,042,048	8,349	250,470
Cook	174	2,610	2,422	31,486	46,052	1,013,144	54,800	1,644,000
Crawford	50,092	267,157	.....	.....	30,553	91,659	8,764	201,572
Cumberland	37,353	280,147	.....	.....	25,022	100,088	6,453	154,872
De Kalb	375	1,875	809	16,180	99,764	3,591,504	44,890	1,346,700
De Witt	8,561	96,311	1,591	7,955	82,060	2,872,100	16,172	663,052
Douglas	22,500	196,875	441	3,969	75,250	2,031,750	12,000	384,000
Du Page	274	4,110	574	8,610	21,237	530,925	20,644	825,760
Edgar	47,029	540,833	140	1,260	70,322	1,476,762	5,315	159,450
Edwards	28,689	143,445	14	126	17,775	35,550	1,582	49,042
Effingham	50,396	151,188	41	369	40,125	240,750	15,268	519,112
Fayette	62,129	279,580	.....	.....	47,973	143,919	12,398	421,532
Ford	509	5,090	101	909	125,834	3,397,518	19,515	702,510
Franklin	26,955	87,604	25	225	19,053	.....	4,080	81,600
Fulton	26,644	213,152	3,300	19,800	80,707	2,744,038	14,494	565,366
Gallatin	31,623	189,738	17	153	28,803	374,439	1,154	27,696
Greene	44,082	528,984	111	909	41,175	1,317,600	2,339	70,170
Grundy	347	3,470	23	207	68,111	1,498,442	12,513	462,981
Hamilton	35,118	105,354	.....	.....	21,489	21,489	2,092	62,760
Hancock	31,672	348,392	2,981	26,829	102,990	2,574,750	35,968	1,007,104
Hardin	4,801	33,607	7	63	6,193	49,544	1,071	17,136
Henderson	3,371	25,282	3,172	15,860	52,172	1,147,785	12,569	477,622
Henry	804	7,236	4,151	27,358	191,348	3,444,264	36,420	1,274,700
Iroquois	9,823	88,407	308	2,772	229,653	5,970,978	46,459	1,858,360
Jackson	48,983	342,881	85	765	23,635	118,175	2,462	51,702
Jasper	44,146	198,657	.....	.....	34,754	69,508	5,758	115,160
Jefferson	63,456	203,059	.....	.....	37,221	37,221	8,852	239,004
Jersey	51,747	620,964	.....	.....	35,137	667,603	3,778	120,896
Jo Daviess	3,887	31,096	1,475	10,324	50,375	1,612,000	32,184	1,126,440
Johnson	22,164	166,230	.....	.....	16,560	165,600	1,764	44,100
Kane	157	3,140	569	5,121	53,771	1,720,672	25,645	1,179,670
Kankakee	2,653	39,795	360	4,320	109,732	2,743,300	35,772	1,216,248
Kendall	137	1,370	820	8,200	73,629	1,619,838	22,721	886,119
Knox	8,269	90,959	1,130	9,040	135,050	3,916,450	43,610	1,744,400
Lake	277	3,462	1,700	17,000	26,439	634,536	28,659	1,146,360
La Salle	1,777	35,540	2,781	27,810	237,583	4,038,911	61,178	2,417,120
Lawrence	55,023	220,092	.....	.....	28,887	57,774	2,728	54,560
Lee	2,101	31,515	3,714	37,140	140,146	3,363,504	58,110	2,324,400
Livingston	838	9,208	121	1,089	268,597	6,983,522	62,667	2,381,346
Logan	26,199	334,037	779	7,790	140,859	5,070,924	20,200	808,000
Macon	39,899	389,015	.....	.....	127,840	3,835,200	24,244	1,090,980
Macoupin	112,271	1,010,439	182	1,638	90,982	2,547,496	11,112	444,480
Madison	152,900	1,834,800	.....	.....	72,500	942,500	14,150	452,800
Marion	51,903	259,515	.....	.....	31,606	31,606	8,725	218,125
Marshall	936	12,168	147	1,470	58,761	1,762,830	18,087	669,219
Mason	9,456	40,976	852	6,816	61,515	1,537,875	6,711	201,330
Massac	17,123	159,815	.....	.....	12,911	90,377	1,382	34,550
McDonough	20,000	133,333	9,000	27,000	100,000	4,000,000	25,000	800,000
McHenry	462	4,774	3,495	41,940	38,830	931,920	22,422	896,880
McLean	5,000	57,500	600	4,200	250,000	9,750,000	80,000	3,360,000
Menard	18,001	168,009	1,064	9,576	77,049	3,236,058	10,220	459,900
Mercer	2,840	25,560	4,172	37,548	97,397	2,240,131	29,381	1,028,335
Monroe	60,048	780,624	.....	.....	16,118	241,770	6,003	150,075
Montgomery	89,218	624,526	64	576	107,353	1,073,530	18,728	730,392
Morgan	40,000	410,000	2,178	19,602	101,297	4,153,177	10,160	558,800
Moultrie	1,052	5,260	78	702	64,540	1,415,420	8,326	333,040
Ogle	2,831	33,972	1,919	15,353	107,404	3,329,524	59,475	1,784,250
Peoria	7,450	99,333	1,600	16,000	93,271	2,425,406	25,380	1,015,200
Perry	44,400	242,200	.....	.....	14,196	14,196	9,316	214,268
Platt	10,217	102,170	476	4,284	66,916	2,141,312	16,132	806,600

Counties.	Winter wheat.		Spring wheat.		Corn.		Oats.	
	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.	Acres.	Bushels.
Pike	77,446	542,122	141	1,269	79,442	1,668,282	6,855	226,215
Pope	16,229	81,145	.....	.....	22,001	264,012	5,000	85,000
Pulaski	11,397	91,176	.....	.....	11,600	127,600	600	7,200
Putnam	1,077	16,155	1,403	7,015	28,872	635,184	6,430	257,200
Randolph	84,993	467,461	.....	.....	23,646	189,168	11,158	334,740
Richland	40,572	121,716	.....	.....	24,338	24,338	6,108	122,160
Rock Island	277	2,770	2,178	30,492	52,242	1,044,840	14,789	473,248
Saline	28,203	155,116	.....	.....	22,722	159,054	1,812	16,308
Sangamon	39,930	359,370	769	6,152	112,877	4,627,957	10,023	390,897
Schuyler	29,632	251,872	326	2,934	36,074	1,442,960	5,086	198,354
Scott	24,530	220,770	89	801	30,184	1,358,280	1,278	48,564
Shelby	50,000	150,000	1,342	12,078	100,000	2,000,000	15,155	636,510
Stark	444	6,660	255	1,275	68,240	1,910,720	20,713	828,520
Saint Clair	158,643	1,031,179	184	1,656	54,945	714,285	12,610	441,350
Stephenson	6,233	40,514	5,035	60,420	74,231	2,969,240	41,675	1,375,275
Tazewell	26,565	239,085	1,020	12,240	106,767	3,203,010	29,175	875,250
Union	26,181	209,448	50	450	20,000	300,000	4,000	72,000
Vermillion	44,347	443,470	623	5,607	126,756	2,661,876	15,444	586,872
Wabash	27,461	151,035	.....	.....	16,876	84,380	1,425	29,925
Warren	2,847	27,046	2,670	16,020	123,872	3,344,544	36,731	1,285,585
Washington	72,500	471,250	.....	.....	35,000	35,000	25,000	625,000
Wayne	52,167	169,543	.....	.....	34,208	.....	5,825	151,450
White	56,167	252,751	437	3,933	38,487	115,461	2,404	43,272
Whitesides	681	3,064	1,718	10,308	95,402	2,194,246	31,028	1,148,036
Will	1,278	12,786	636	5,088	113,459	3,063,393	69,295	2,425,325
Williamson	47,964	227,829	.....	.....	39,827	199,135	4,327	90,867
Winnebago	1,680	33,600	591	5,910	65,606	2,624,240	45,420	1,362,600
Woodford	5,670	75,600	951	10,461	112,947	3,614,304	46,100	1,613,500
Total 1881	2,951,668	21,586 483	90,921	784,680	7,195,674	174,995,707	1,922,389	68,844,514
Same estimate for:								
1880	2,970,086	53,865,505	286,264	2,642,804	7,574,545	250,697,036	1,749,391	62,709,002
1879	2,137,063	42,041,253	303,736	3,376,409	7,918,881	205,913,377	1,631,139	54,664,569
1878	2,032,840	30,013,147	291,912	3,870,251	8,672,088	251,149,230	1,757,953	53,424,555
1877	1,736,301	29,510,032	248,458	2,980,524	8,935,411	269,889,742	1,556,194	61,145,983

The following statistics regarding the consumption and distribution of corn and wheat—the latter being included in this report for purposes of comparison—is of value in the investigation of this part of the subject, and is taken from the Report of the Commissioner of Agriculture for 1883, page 310:

CONSUMPTION AND DISTRIBUTION OF CORN AND WHEAT.

For two years past efforts have been made for the first time to ascertain approximately the consumption of the corn and wheat supply of the year on the first day of March. The purpose is to show the rate of distribution, and to indicate the extent of consumption at that date. The result is exceedingly interesting and valuable. It reveals facts so numerous, so various, and local conditions of consumption so peculiar and diverse as to prove practically a revelation to local agricultural writers and to commercial editors. This is especially the case as to corn. Among the points presented are—

1. That the average stock of corn on hand at this date in a series of years is one-third, two-thirds having been consumed on the farm or shipped away.

2. That nearly five-sixths of the corn shipped from the county where grown goes from seven States, known as the corn surplus States; and most of the remainder from Kentucky and Tennessee.

3. That 44 per cent. of the corn is fed to cattle and swine (for meat-making) in the counties where grown; 28 per cent. is fed to work animals in the operations of the farm, and 8 per cent. used as human food. Most of the 20 per cent. shipped from the counties are also used in the East and South for the various purposes above named. This would make the distribution nearly—

	Per cent.
For feeding for meat	50
For feeding for work	30
For human food	9
For exportation	5
For spirits, glucose, starch, seed, and waste	6

4. That in the South about half is used for work-animals and a fourth for meat while in the West half goes for making meat and one fifth for farm work.

5. That the above diversities as to use in home consumption make large difference in the time of consumption. In the South, 43.5 per cent. remained on hand March 1, because of the large crop, and its required use for five months of spring and summer plowing.

The smaller former average in the South, 35.9 per cent., is not because of a change in the usage as to consumption, but because the smaller former supply was earlier exhausted, and purchases from the West large after that date. In the West only a third remained on hand, because the heaviest feeding comes in autumn and early winter.

CORN.

Proportion on hand March 1.—The returns of March 1, 1883, showed that about 36 per cent. of the crop still remained in the hands of the growers, or about 558,000,000 bushels of 1,617,000,000 bushels representing the crop of 1882. Nearly two-thirds of this amount was in the Western States, and about three-tenths in the Southern States.

Comparing with an average of five preceding years, one of which (1881) was a year of great scarcity, we find that New England had less than that average; the Middle States, 37.4 per cent., the average being 36.7; the Southern States, 43.5 per cent., instead of 35.9; the Western States only a fraction more than such average, or 33.8 per cent., in place of 32.9 per cent; the Pacific coast, 25.1, the average being 24.5 per cent.; and the Territories, 35 per cent., a very large increase, due, to the development of corn culture in Dakota. The following statement shows these percentages and the quantities they represent:

Sections.	Production.	Stock on hand March 1, 1883.		Average per cent. for five years.
	Bushels.	Per cent.	Bushels.	
New England	6,376,300	29.8	1,898,701	32.6
Middle	78,585,700	37.4	29,397,288	36.7
Southern	394,695,300	43.5	171,551,062	35.9
Western	1,127,934,500	33.8	381,600,606	32.9
Pacific	2,920,900	25.1	741,908	24.5
Nevada, Colorado, and Territories	6,512,400	35.0	2,282,552	25.5
Total	1,617,025,100	36.3	587,472,117	33.7

It is seen that the only stocks contributing appreciably to the aggregate are those of the West, South, and the Middle States. The statement by States and Territories is as follows:

States.	Product in 1882.	Stock on hand March 1, 1883.		Per cent. for five years.
	Bushels.	Bushels.	Per ct.	
Maine	904,400	253,232	28	30
New Hampshire	870,700	261,210	30	32
Vermont	1,930,300	656,302	34	35
Massachusetts	1,237,200	346,416	28	32
Rhode Island	277,900	69,475	25	27
Connecticut	1,155,800	312,066	27	33
New York	21,187,500	7,627,500	36	37
New Jersey	9,942,800	3,778,264	38	36
Pennsylvania	43,518,800	16,101,956	37	36
Delaware	3,936,600	1,889,568	48	45
Maryland	17,904,700	8,057,115	45	43
Virginia	35,904,000	15,797,760	44	40
North Carolina	34,260,700	15,759,922	46	43
South Carolina	16,356,200	6,869,604	42	37
Georgia	36,617,500	18,674,925	51	33
Florida	3,708,900	1,594,827	43	40
Alabama	31,982,500	15,351,600	48	35
Mississippi	30,233,600	14,209,792	47	35
Louisiana	14,636,400	5,708,196	39	35
Texas	63,416,300	23,464,031	37	34
Arkansas	34,485,900	14,484,078	42	35
Tennessee	75,188,600	31,579,212	42	33
West Virginia	14,927,000	6,269,340	42	34
Kentucky	75,500,900	30,955,369	41	33

States.	Product in 1882.	Stock on hand March 1, 1883.		Per cent. for five years.
	Bushels.	Bushels.	Per ct.	
Ohio	93, 319, 200	27, 062, 568	29	28
Michigan	28, 581, 600	8, 574, 480	30	28
Indiana	107, 484, 300	38, 694, 348	36	33
Illinois	182, 336, 900	67, 464, 653	37	39
Wisconsin	32, 201, 600	9, 660, 480	30	28
Minnesota	21, 127, 600	6, 127, 004	29	27
Iowa	175, 487, 600	52, 646, 280	30	36
Missouri	170, 037, 000	51, 011, 100	30	28
Kansas	144, 452, 600	47, 669, 358	33	30
Nebraska	82, 478, 200	35, 465, 626	43	38
California	2, 790, 900	725, 634	26	25
Oregon	130, 000	13, 000	10	10
Nevada	18, 000	3, 600	20	18
Colorado	422, 400	160, 512	38	33
Arizona	57, 000	20, 520	36	32
Dakota	4, 650, 000	1, 720, 500	37	25
Idaho	45, 000	13, 500	30	28
Montana	18, 000	5, 400	30	28
New Mexico	965, 000	270, 200	28	25
Utah	275, 000	66, 000	24	22
Washington	62, 000	22, 320	36	33
Wyoming	.....	.....	.....	.....
Indian	.....	.....	.....	.....
Total	1, 617, 025, 100	587, 468, 843	36. 3	33. 7

The largest proportions on hand are those of the Southern States. This is in accordance with intelligent expectation, not because there is any surplus for shipment, nor because more is consumed than in the West. On the contrary, the requirements of that region are far smaller than of the States where pork and beef are made. The larger portion is used for feeding the horses and mules employed so constantly in plowing during the spring and early summer. Pork is not made for shipment, and only a partial supply for home consumption, from mast, and the run of the pea field, and a limited supply of corn towards killing time. These conditions are reflected in the results of this inquiry, showing a great contrast with Western practice.

Consumption.—Inquiry was made as to proportions used for specific purposes, to illustrate the rural economy of different sections of the country, under the following heads, viz: (A) human food; (B) feed for work animals; (C) feed for cattle and swine; (D) shipped out of country where produced.

In the first inquiry the percentage would be expected to vary from two causes—the amount produced per capita, and the comparative use of maize for human food, which differs greatly in the different States. In New England its use is quite limited, and not confined to the home product; but very little is grown, so that the percentage is larger, though the quantity is not. In the South the quantity is greater, but less than in the West, so that 16 per cent. is required in the former, and but 5 in the latter States, though the aggregate Southern requirement is not very greatly in excess of Western, 63,000,000 bushels against 56,000,000 bushels. The quantity of native corn reported as used for food in the South is 4.6 bushels per capita; in the West, nearly 3 bushels. In the Middle States, and in New England, the native supply is supplemented by corn from other States, increasing the consumption as reported; the population is largely in cities and towns, and the rural population small. The total reported as used for food in the country, of nearly 130,000,000 bushels, may probably be increased by 20,000,000 more from the column which reports corn "shipped out of the county" in which it is grown, making an aggregate of 150,000,000 bushels or nearly three bushels per capita. This is very unequally distributed, some communities *using twice* this average, and others a scarcely appreciable quantity.

In the use of corn for feed of work animals is seen a marked difference between Western and Southern usages and rural methods. The per cent. of corn used for this purpose in the Southern States is placed at 47.2. As the supplies brought from the West are almost entirely used for work animals or human food the real proportion of corn consumption is fully one-half for such feeding. In the West it is one-fifth, or 20.9 per cent. Yet the quantity used is 235,000,000 bushels. The larger relative use of corn for work animals in the South is due to the fact that plowing is almost continuous from March to July, inclusive; that more horses and mules are required in proportion to work done, and corn is the principal feed. In the West there is less cultivation, wheat taking the place of cotton, and requiring no culture after planting, while horses feed upon hay as well as corn, and use oats much more extensively than in the South. Everything in crop and cultivation, in work and rations of ani-

mals, conspires to widen the relative requirement of corn for work animals of these two belts of States.

The consolidation of returns makes the proportion used for feeding work animals 28 per cent. Taking into account receipts from beyond county (and State) lines the proportion may be stated at 30 per cent.

The third branch of consumption relates to meat production. It also includes, to a limited extent, milk production. Beef, pork, and mutton all require an increasing proportion of corn, supplementary to grass products and rougher forage in summer droughts and winter severities, especially in the finishing process. Eggs and poultry demand a share of the maize supply. Half of the crop in the West appears to be used as feed for cattle, sheep, and swine. Applying the percentage to the present crop, the grand volume of 557,000,000 bushels is indicated. As only one-fourth is shipped from counties where grown, and little more than one-fifth can be traced to Chicago, Toledo, New York, and all other distant markets, it is evident that the other fourth is ample for working animals and home food. When we recount the various uses of corn in every stage of cattle life, and for ripening 12,000,000 swine (more or less) for the packing trade, and some millions more for farmers' use, and a further requirement for sheep and poultry, it would seem that 50 per cent. of the Western crop might be used for these purposes. The use of corn for spirits has not been mentioned, because it is usually only about 1 per cent. of the crop. Seed requires not more than 1 per cent. In this calculation it is proper to say that the entire crop is accounted for. Yet it should be remembered that the farmers' cribs were bare of corn at the beginning of the year, and that they will not be so thoroughly exhausted at its end. However short the stock may be which Chicago is able to drain, there will be scattered through twenty States many million bushels more than existed there at the beginning of the year. The actual consumption (excluding exportation, seed, etc.) will not much exceed 1,450,000 bushels. This is more than an average consumption, even of recent years, but with rapidly increasing population, a large export demand, and the necessity for beef of earlier maturity and better quality, it will not be too large a quantity for the future.

Shipped from the country.—As the returns were made by counties, theportion shipped does not necessarily mean shipped to the sea-board or beyond State lines. It must include, however, all such shipments. The aggregate of this branch of the inquiry is about 330,000,000 bushels, which is ample to account for exportation, eastern and southern shipments, and leave a margin for shipments short distances for local supply of towns and cities, and the requirements of neighboring feeders. Seven-eighths of this county surplus is in the West. The largest quantity is in Illinois; and Kansas, Iowa, and Missouri follow in order. Iowa's portion is greatly reduced by the very poor crop of last year. Kentucky and Tennessee have a much larger surplus than usual.

The statement of this division of local consumption, according to specific uses, is thus made:

Sections.	Human food.		Feed for work-animals.		Feed for cattle and swine.		Shipped from county.	
	Pr.ct.	Bushels.	Pr.ct.	Bushels.	Pr.ct.	Bushels.	Pr.ct.	Bushels.
New England	14	894,089	29.4	1,873,651	54.2	3,457,579	2.4	150,981
Middle	9.2	7,224,526	32.7	25,755,430	47.3	37,144,801	10.8	8,460,943
Southern	16	63,185,261	47.2	186,306,987	26.3	103,953,517	10.5	41,249,535
Western	5	56,499,363	20.9	235,227,078	49.4	557,237,200	24.7	278,970,859
Pacific	30.8	898,979	24.3	701,625	34.6	1,016,506	10.3	303,790
Nevada, Colorado, and Territories	15.3	996,397	43.1	2,806,844	29.2	1,966,745	11.4	742,414
Total	8	129,698,615	28	452,671,615	43.6	704,776,348	20.4	329,878,522

Allowing for the export reserve, and for a moderate filling of the usual stocks held over (which were so depleted last year), and for the requisite conversion of corn into spirits, glucose, starch, and the seed for sixty-five million acres or more to be planted, the actual consumption of the year for man and beast may thus be stated, after distribution of the remnant of the county surplus not required for the miscellaneous uses indicated above:

	Bushels.
For human food	150,000,000
For feed of work-animals	520,000,000
For feed for meat-producing animals	780,000,000
Total	1,450,000,000
Leaving for export, seed, spirits, and surplus	167,025,100

The returns by States are as follows:

States.	Human food.		Food for work-animals.		Food for cattle and swine.		Shipped from county.	
	Bushels.	Pr.ct.	Bushels.	Pr.ct.	Bushels.	Pr.ct.	Bushels.	Pr.ct.
Maine	198, 968	22	721, 320	30	416, 024	46	18, 088	2
New Hampshire	130, 605	15	235, 089	27	487, 592	56	17, 414	2
Vermont	231, 636	12	540, 484	28	1, 080, 968	56	77, 212	4
Massachusetts	160, 836	13	420, 648	34	643, 344	52	12, 372	1
Rhode Island	33, 348	12	105, 602	38	136, 171	49	2, 779	1
Connecticut	138, 696	12	300, 508	26	693, 480	60	23, 116	2
New York	2, 118, 750	10	6, 356, 250	30	11, 653, 125	55	1, 059, 375	5
New Jersey	795, 424	8	3, 778, 264	38	3, 977, 120	40	1, 391, 992	14
Pennsylvania	3, 916, 692	9	14, 361, 204	33	20, 018, 648	46	5, 222, 256	12
Delaware	393, 660	10	1, 259, 712	32	1, 495, 908	38	787, 320	20
Maryland	1, 611, 423	9	6, 445, 692	36	5, 908, 551	33	3, 939, 034	22
Virginia	5, 744, 640	16	13, 643, 520	38	11, 130, 240	31	5, 385, 600	15
North Carolina	6, 852, 140	20	13, 704, 280	40	9, 935, 603	29	3, 768, 677	11
South Carolina	4, 089, 050	25	9, 159, 472	56	2, 944, 116	18	163, 562	1
Georgia	8, 788, 200	24	16, 844, 050	46	8, 055, 850	22	2, 929, 400	8
Florida	927, 225	25	2, 114, 073	57	519, 246	14	148, 356	4
Alabama	7, 036, 150	22	16, 311, 075	51	6, 716, 325	21	1, 918, 950	6
Mississippi	6, 349, 056	21	16, 023, 808	53	6, 651, 392	22	1, 209, 344	4
Louisiana	2, 927, 280	20	8, 781, 840	60	2, 341, 824	16	585, 456	4
Texas	7, 609, 956	12	36, 147, 291	57	15, 219, 912	24	4, 439, 141	7
Arkansas	4, 483, 167	13	19, 312, 104	56	8, 966, 334	26	1, 724, 295	5
Tennessee	6, 766, 974	9	27, 819, 782	37	25, 564, 124	34	15, 037, 720	20
West Virginia	1, 791, 240	12	5, 970, 800	40	6, 120, 070	41	1, 044, 890	7
Kentucky	6, 040, 072	8	24, 160, 288	32	32, 465, 387	43	12, 835, 153	17
Ohio	5, 599, 152	6	25, 196, 184	27	46, 659, 600	50	15, 864, 264	17
Michigan	2, 572, 344	9	8, 860, 296	31	15, 434, 064	54	1, 714, 896	6
Indiana	5, 374, 215	5	25, 796, 232	24	52, 667, 307	49	23, 646, 546	22
Illinois	7, 293, 476	4	32, 820, 642	18	83, 874, 974	46	58, 347, 808	32
Wisconsin	2, 576, 128	8	7, 084, 352	22	18, 354, 912	57	4, 186, 208	13
Minnesota	1, 478, 932	7	5, 704, 452	27	11, 408, 904	54	2, 535, 312	12
Iowa	7, 019, 504	4	28, 078, 016	16	96, 518, 180	55	43, 871, 900	25
Missouri	8, 501, 850	5	34, 007, 400	20	91, 819, 980	54	35, 707, 770	24
Kansas	5, 778, 104	4	26, 001, 468	18	66, 448, 196	46	46, 224, 832	32
Nebraska	2, 474, 346	3	11, 546, 948	14	35, 465, 626	43	32, 991, 280	40
California	865, 179	31	697, 725	25	948, 906	34	279, 090	10
Oregon	33, 800	26	3, 900	3	67, 600	52	24, 700	19
Nevada	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	50, 688	12	215, 424	51	80, 256	19	76, 032	18
Arizona	17, 100	30	28, 500	50	11, 400	20	.....	.....
Dakota	604, 500	13	1, 999, 500	43	1, 534, 500	33	511, 500	11
Idaho	.....	.....	.....	.....	.....	.....	.....	.....
Montana	.....	.....	.....	.....	.....	.....	.....	.....
New Mexico	250, 900	26	463, 200	48	154, 400	16	96, 500	10
Utah	33, 000	12	85, 250	31	112, 750	41	44, 000	16
Washington	37, 200	60	6, 200	10	6, 200	10	12, 400	20

THE CORN-SURPLUS STATES.

Practically we have only to consider the surplus-corn States in an inquiry concerning the corn of commerce or current and prospective prices. Commercial prices are made by the production of seven States. In addition to these Kentucky and Tennessee usually add something to this surplus, ordinarily not enough to affect prices. In two of these seven, Illinois and Iowa, the crop of 1882 was not much superior to that of 1881, and the available supply of the present year actually less than that of last year, which had a larger stock left over from the previous year's supply. The local prices in those States are, therefore, comparatively high. The following statement shows the proportion and quantity on hand in those States March 1, 1883:

States.	Crop.	Stock.	Per cent.
	Bushels.	*Bushels.*	
Ohio	93, 319, 200	27, 062, 568	29
Indiana	107, 484, 300	38, 694, 348	36
Illinois	182, 336, 900	67, 464, 653	37
Iowa	175, 487, 600	52, 646, 280	30
Missouri	170, 037, 000	51, 011, 100	30
Kansas	144, 452, 600	47, 669, 358	33
Nebraska	82, 478, 200	35, 465, 626	43
Total	955, 595, 800	320, 013, 933	33

The proportion of Illinois on hand at this date is ordinarily much larger than that of other States. In 1881 it was 45 per cent., or 35,000,000 to 40,000,000 bushels more than the present remainder. The percentage is about the same as that of 1882. Iowa has a smaller proportion on hand than last year, and less than half the number of bushels remaining on the 1st of March, 1881. The comparison of the stock on hand in the seven States is, in round numbers, as follows:

	Bushels.
March 1, 1883	320,000,000
March 1, 1882	200,000,000
March 1, 1881	413,000,000

PORK TRADE AT THE PACKING CENTERS.

Nearly one-third of all the hogs which go into the trade of this country are packed at Chicago, therefore a thorough study has been made of all that pertains to the handling of hogs for this market from the time they are purchased in the country until the meat is cured, packed, and shipped to the sea-board.

It will not be out of place to present here some carefully prepared statements of the provision business at Chicago:

Receipts and shipments of hogs (at Chicago) for twenty years.

Years.	Received.			Shipped.		
	Alive.	Dressed.	Total.	Alive.	Dressed.	Total.
1864	1,285,871	289,457	1,575,328	561,277	98,115	259,392
1865	757,072	92,239	849,311	575,511	69,034	644,545
1866	933,233	353,093	1,286,326	484,793	91,306	576,099
1867	1,696,689	260,431	1,987,120	760,547	156,091	916,638
1868	1,706,592	281,923	1,988,515	1,020,812	226,901	1,247,713
1869	1,661,869	190,513	1,852,382	1,086,305	199,650	1,285,955
1870	1,693,158	260,214	1,953,372	924,483	171,188	1,095,671
1871	2,380,083	272,466	2,652,549	1,162,286	169,473	1,331,759
1872	3,252,623	235,905	3,488,528	1,835,594	145,701	1,981,295
1873	4,337,750	533,156	4,570,906	2,197,557	200,996	2,398,463
1874	4,259,629	213,038	4,472,667	2,330,661	197,747	2,528,108
1875	3,912,110	173,012	4,085,122	1,582,643	153,523	1,736,166
1876	4,190,006	148,622	4,338,628	1,131,635	79,654	1,211,289
1877	4,025,970	164,339	4,190,309	951,221	94,648	1,045,869
1878	6,339,654	102,512	6,442,166	1,266,906	26,039	1,292,945
1879	6,448,300	91,044	6,539,344	1,692,361	40,024	1,732,385
1880	7,059,355	89,102	7,148,457	1,394,990	33,194	1,428,184
1881	6,474,844	52,835	6,527,679	1,289,679	46,849	1,336,528
1882	5,817,504	36,778	5,854,282	1,747,722	40,196	1,787,918
1883	5,640,625	56,538	5,697,163	1,319,392	44,367	1,363,759

Statement of bacon, hams, and dry-salted meats, pork, and lard inspected at Chicago for ten years ending 1881.

Years.	Bacon, hams, and dry-salted meats.	Pork.	Lard.
	Pounds.	*Barrels.*	*Pounds.*
1872	245,288,404	208,664	86,040,785
1873	343,986,021	191,144	89,847,680
1874	262,931,462	231,350	82,209,887
1875	362,141,943	313,713	115,616,093
1876	467,289,109	319,344	138,216,376
1877	479,926,231	296,457	147,000,616
1878	747,289,774	346,366	244,323,933
1879	835,629,540	354,255	251,020,295
1880	958,036,113	367,324	333,539,138
1881	782,993,729	319,999	278,531,733

Pork packing in Chicago for the last twenty years, March 1 to March 1.

Season.	Number of hogs packed.	Season.	Number of hogs packed.
1863–'64	904, 659	1873–'74	1, 826, 569
1864–'65	760, 514	1874–'75	2, 136, 716
1865–'66	507, 355	1875–'76	2, 320, 846
1866–'67	639, 332	1876–'77	2, 933, 486
1867–'68	796, 226	1877–'78	4, 009, 311
1868–'69	597, 954	1878–'79	4, 960, 956
1869–'70	688, 140	1879–'80	4, 680, 637
1870–'71	919, 197	1880–'81	5, 752, 191
1871–'72	1, 225, 239	1881–'82	5, 100, 484
1872–'73	1, 456, 650	1382–'83	4, 222, 780

A special investigation has also been made of the methods and conditions which obtain at each of the large packing centers of the country; and as our facts for each of these have been drawn from different sources, and the statements carefully compared, it is believed that they are entirely reliable.

The members of the Commission have made a personal inspection of the stock-yards, the principal slaughter-houses, the stock-trains in transit, and as they reach the respective stock-yards. Carefully prepared sets of interrogatories were furnished the railroad companies, the stock-yard corporations, and the packers, which covered instructions to railroad agents, stock contracts, and care of hogs in transit, their care and condition at the stock-yards, and the slaughter, curing, inspection, and packing. The information thus obtained from different parties has been compared and confirmed by careful reports from the officers of the boards of health exercising supervision at the respective districts where are located the stock-yards and packing-houses, and the intelligent inspectors of the humane association. A special agent, familiar with the trade, has also been employed to follow it through all its intricate ramifications. In order to obtain full and trustworthy information on the many important points connected with this subject it has been found necessary to gather the facts from different sources and through various channels, and to confirm and extend our own knowledge thus acquired by the aid of experts who have long been familiar with the various branches of this business.

In all cases the statements of interested parties have been controlled by our own observations or by the investigations of other disinterested persons, and generally by both.

Interrogatories were prepared to cover the respective subjects of investigation, copies of which are inserted with their respective topics.

TRANSPORTATION OF HOGS FROM SHIPPING POINTS TO STOCK-YARDS.

The following interrogatories on railroad transportation were personally presented to the several railroad companies, and information covering the various points of investigation, was, in all cases, fully and cheerfully granted:

1. Are dead hogs ever allowed to be transported?
2. Are diseased hogs allowed to be transported?
3. If transported, to what points are they carried?
4. It has been stated that "hogs which have died of cholera have been shipped to Chicago to be cured and packed." Are you aware of such being the fact?
5. Does the station agent examine hogs as to their condition before receiving them?
6. Has he authority to reject any hogs?

7. Would hogs in following condition, ordinarily, be received for transportation?
   a. Diseased.
   b. Bruised.
   c. Over-fatigued, feverish.
   d. Piggy (pregnant) sows.
   e. Hogs evidently needing food or water.
8. What is the rule as to the number of hogs to be loaded into a car?
9. What is the nature of the bill of lading given? Please give blank form.
10. Is the condition of the hogs usually specified in bill of lading?
11. Do your railroad regulations compel your employés to look after the hogs in transit?
12. What care do hogs have while in transit?
13. Does the owner or shipper accompany the hogs?
14. What are the regulations regarding this?
15. What examinations of the hogs are made in transit, for injury, bruising, smothering, and death?
16. What food is given them?
17. How frequent?
18. Of what quality?
19. How much?
20. What care is taken as to condition or quality of water given?
21. How often are they watered?
22. What quantity is given?
23. Is water ever used for cooling the hogs?
24. Under what circumstances, and what regulations and arrangements have yon therefor?
25. What is the ordinary length of journey allowed?
26. How are the cars prepared for transporting hogs?
27. How often are the cars cleansed?
28. How are they cleansed?
29. Is any special care taken to disinfect cars in which diseased hogs have been carried?

The important relations which the railroads bear to the subject under investigation will appear from the following statement from page 284 of the recent Report of the Department Agriculture, dated November 10, 1883:

The Chicago, Burlington and Quincy Railroad transported about one-third of the cattle to Chicago. It runs through a corn belt, perhaps unsurpassed in the United States, which continues to maintain its superiority as a source of cattle supply. The Chicago and Northwestern still maintains second rank as a feeder to the great cattle mart. Chicago, Rock Island and Pacific is third, and Chicago and Alton fourth, as in the previous year, while the Wabash has changed places with the Milwaukee and Saint Paul during the last year. The receipts come by the following routes:

Total receipts by railway lines for 1882.

Roads.	Cattle.	Calves.	Hogs.	Sheep.	Horses.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*
Baltimore and Ohio	1,260	853	22,891	8,526	176
Chicago and Alton	199,141	296	335,723	66,639	1,723
Chicago, Burlington and Quincy	491,800	2,174	1,555,688	168,181	2,416
Chicago and Eastern Illinois	26,403	636	98,439	15,013	320
Chicago and Grand Trunk	1,951	802	12,575	1,300	542
Chicago, Milwaukee and Saint Paul	154,873	4,067	735,203	94,044	866
Chicago and Northwestern	223,678	5,420	1,061,616	111,344	880
Chicago, Rock Island and Pacific	212,884	601	859,381	42,460	1,631
Illinois Central	95,415	967	592,212	36,358	1,032
Lake Shore and Michigan Southern	4,474	4,527	54,235	11,362	1,764
Louisville, New Albany and Chicago	7,611	388	18,976	3,418	59
Michigan Central	3,030	1,549	39,279	7,804	728
New York, Chicago and Saint Louis	24	3	2,761	.....	.....
Pittsburgh, Cincinnati and Saint Louis	5,127	373	46,595	4,596	301
Pittsburgh, Fort Wayne and Chicago	3,286	1,834	29,071	2,763	159
Wabash, Saint Louis and Pacific	146,104	373	351,961	54,590	1,259

Total shipments by railway lines for 1882.

Railroads.	Cattle.	Calves.	Hogs.	Sheep.	Horses.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*
Baltimore and Ohio	46,002	3	27,794	1,035	290
Chicago and Alton	7,349	837	514	2,052	61
Chicago, Burlington and Quincy	5,257	1,678	114	6,029	198
Chicago and Eastern Illinois	3,858	212	82	14	48
Chicago and Grand Trunk	47,691	40	22,241	47,158	290
Chicago, Milwaukee and Saint Paul	13,642	1,082	280	6,957	3,654
Chicago and Northwestern	16,704	1,795	3,825	6,445	2,560
Chicago, Rock Island and Pacific	21,780	1,342	.....	2,334	181
Illinois Central	10,424	1,410	2,955	3,263	95
Lake Shore and Michigan Southern	272,778	831	865,074	137,602	3,035
Louisville, New Albany and Chicago	706	139	263	.....	35
Michigan Central	207,901	28	559,459	5,037	1,017
New York, Chicago and Saint Louis	342	.....	510	384	.....
Pittsburgh, Cincinnati and Saint Louis	5,698	84	222	190	100
Pittsburgh, Fort Wayne and Chicago	258,260	75	264,302	94,016	1,191
Wabash, Saint Louis and Pacific	2,557	673	87	1,654	33

SHIPMENTS EASTWARD.

The shipments eastward have augmented more rapidly than population. Philadelphia has made the largest relative gain in cattle, though the absolute increase in numbers is, of course, made by New York. The receipts of veals in New York have increased from 91,529 in 1869 to 190,582 in 1882.

The New York Produce Exchange record of these shipments is as follows:

In the record for swine the most noticeable change is the remarkable movement to Boston, which is now nearly equal to the aggregate receipts of Philadelphia and Baltimore.

Receipts of hogs at the seaboard cities.

Years.	New York.	Boston.	Philadelphia.	Baltimore.	Total.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*
1869	901,725	167,558	176,200	250,516	1,495,999
1870	889,625	189,330	189,500	300,000	1,568,455
1871	1,310,280	351,307	199,610	350,000	2,211,197
1872	1,923,727	602,625	210,276	314,269	3,050,897
1873	1,958,389	854,507	344,300	392,734	3,549,930
1874	1,774,221	587,721	330,590	357,547	3,059,079
1875	1,388,517	331,989	243,300	279,631	2,243,437
1876	1,222,657	361,317	289,900	259,064	2,132,938
1877	1,268,596	330,604	242,400	322,945	2,164,545
1878	1,794,539	510,432	282,060	260,514	2,847,545
1879	1,725,537	582,615	341,450	356,524	3,006,126
1880	1,719,137	691,839	346,960	336,867	3,094,803
1881	1,533,526	708,900	367,876	338,551	2,948,853
1882	1,366,848	816,535	186,800	268,811	2,638,994

Hogs for the trade are gathered together at the various shipping points on the railway lines. When loaded into the cars if any have died from any cause while awaiting shipment, which seldom occurs, the dead animals are placed in the cars and the railroad agent notes on the way-bill the number of "live" and the number of "dead hogs." Some railroad companies state that such dead hogs would not be carried by them; others would carry them only to points where there are offal-rendering establishments. We have been unable to learn, after careful investigation, of any shipment of hogs which have died from disease to any of the cities where hogs are packed, or even from country districts to city offal-rendering works. Some roads, however, provide for the transportation of hogs which have died from disease, provided they are solidly frozen.

We herewith append the "Classification on dead hogs," in use by the Chicago and Northwestern Railway Company.

By this classification less than car load lots of dead hogs are placed in third-class, the same as in the case of live hogs; but in car-load lots live hogs go in class four, while car-load lots of 20,000 pounds dead hogs are placed in Class C. The difference in rates may be understood by the following example: Between Huron (Dakota) and Chicago the rate for class three is 90 cents per hundred, for class four 70 cents, and for C 35 cents.

In connection with the classification on hogs that have died from disease it may be desirable, for general information, to give the special rates on live hogs from Western to principal Eastern points. They are made on car-load lots, either ordinary or refrigerator cars, in the latter case the through rates being five cents higher per hundred pounds. The minimum weight of hogs per car-load by the Baltimore and Ohio classification is 22,000 pounds per double-decked car and 16,000 pounds per single-decked car. The winter rates (December) of this company are as follows:

Articles.	To Baltimore from—				To Philadelphia from—			
	Chicago.	Milford Junction.	Sandusky.	Newark.	Chicago.	Milford Junction.	Sandusky.	Newark.
Hogs:								
Dressed, refrigerator cars, O. R....per 100 lbs.	66	64	52	49½	67	65	53	50½
Dressed, ordinary cars .....do....	61	59	47	44½	62	60	48	45½

Articles.	To New York from—				To Boston from—			
	Chicago.	Milford Junction.	Sandusky.	Newark.	Chicago.	Milford Junction.	Sandusky.	Newark.
Hogs:								
Dressed, refrigerator cars, O. R....per 100 lbs.	69	67	55	52½	74	72	60	57½
Dressed, ordidary cars.....do....	64	62	50	47½	69	67	55	52½

The Pennsylvania Company's rates for December are as follows:

Articles.	Chicago to--					East Saint Louis to—				
	Boston.	New York.	Philadelphia.	Baltimore.	Washington.	Boston.	New York.	Philadelphia.	Baltimore.	Washington.
Hogs:										
Dressed, common cars, O. R., C. L.....per 100 lbs.	64	64	62	61	61	74	74	72	71	71
Dressed, common cars, O. R., L. C. L.....per 100 lbs.	64	64	62	61	61	74	74	72	71	71

O. R.—Owner's risk; C. L.—Car-load; L. C. L.—Less than car-load.

In inserting these and other tables the Commission have deemed it important that all regulations relating to transportation of animals, to the health of the community, should be laid before the public in condensed and available form.

1882—G. F. D. No. 398.

CHICAGO AND NORTHWESTERN RAILWAY COMPANY,
GENERAL FREIGHT DEPARTMENT,
Chicago, December 14, 1882.

To Agents:

The following will be the classification on dead hogs:

Hogs that have died from disease, when frozen solid ..... Third class.
In car-loads of 20,000 pounds..... Class C.

Do not receive them for shipment unless frozen solid.

WILLIAM S. MELLEN,
General Freight Agent.

HENRY C. WICKER,
Freight Traffic Manager.

(Fill up this form and return it at once. Do not wait to be asked for it.)

1882.—G. F. D. No. 398.

—— Station, No. —, ——— —, 1882.
Received copy of G. F. D. No. 398, dated December 14, 1882.

—— ——, *Agent.*

To WILLIAM S. MELLEN,
General Freight Agent, C. & N. W. R'y, Chicago.

Where hogs have died in considerable numbers, as they have sometimes done in country districts from swine plague, etc., they are either disposed of to be "rendered as offal" in the locality or are buried. Diseased hogs offered for shipment, if discovered, would be refused by some transportation companies. As a matter of fact hogs in such condition are seldom offered for shipment, as they would be nearly certain to die before reaching the end of the route, and would cause the whole lot to be looked upon with suspicion and greatly reduce the amount realized from them. While, therefore, it is probable that hogs in the first stages of disease might be and possibly at times are shipped in railway lines, it must seldom occur, for the reason it does not pay. The animal would be either dead or too obviously sick to deceive buyers, even before it reached the city stock-yards.

The following question, being No. 4 of the interrogatories in the foregoing list, has been asked of the several railroad companies, agents of the humane societies, and boards of health, and employés of the stock-yards, viz:

It has been stated that "hogs, having died of cholera, have been shipped to Chicago to be cured and packed." Are you aware of such being the fact?

This question has uniformly been answered in the negative. The skin and flesh of such hogs is very much discolored; and if slaughtered and attempted to be cured the meat from them would be easily and at once detected. Our special agent, inspectors of the humane and health boards, and the packers, deem it impossible for such animals to be slaughtered. The flesh would not cure without that incipient putrefaction taking place which produces what is known in the trade as "sour meat."

As a rule the station agents of the different railroads do not examine hogs for diseases, bruises, etc., before receiving them for transportation; if discovered, however, they have specific instructions to reject them for these causes. The quality and condition of the hogs and number to be loaded into the car are left almost exclusively to the judgment of the shipper, who is generally the owner of the hogs, subject to the rules of the railroad companies. The number shipped in a car varies with the size of the hogs, and also of the car, from 45 to 70 head; but

as a rule is from 50 to 65. The condition of the hogs is not clearly specified in the bill of lading, and if the shipper or his agents accompany the stock, the care of this is not assumed by the railroad employés. On some roads the shipper seldom avails himself of the privilege granted by all railway companies of allowing transportation for one man to accompany every two cars of stock. On other roads the shipper usually accompanies the animals and cares for them. Some companies instruct their employés to be particular in examining the hogs when stops are made; but such is not true of all the roads.

There are here inserted the ordinary forms of "live-stock contracts" in use by the several railroads in this country.

[Form 1134—8—'83—100M.]

THE MISSOURI PACIFIC RAILWAY COMPANY AND LEASED AND OPERATED LINES.

Rules and regulations for the transportation of live stock.

No station agent of this company has any power or authority to bind this company in regard to the shipment of live stock except by written contract in the following form; neither has such agent any power or authority to contract to have cars at his or any other station for the shipment of live stock at any given or named date, or to agree to furnish, under any circumstances, any particular class or kind of cars.

Live stock of all kinds at the following estimated weights, first-class rates: One horse, mule, or horned animal, 2,000 pounds; two horses, mules, or horned animals, 3,500 pounds; three horses, mules, or horned animals, 5,000 pounds; each additional animal to be rated at 1,500 pounds; jacks or stallions, 4,000 pounds each; calves, hogs, and sheep, each 300 pounds.

In case the owner or consignor agrees to save the Missouri Pacific Railway Company from liability for any or all the causes enumerated in the following contract, and also agrees to load, unload, feed, water, and attend to the stock himself, &c., as specified therein, the rates agreed upon and specified in the contract will be given.

The said The Missouri Pacific Railway Company, as aforesaid, will not assume any liability over the actual value, but in no case exceeding one hundred dollars per head on horses and valuable live-stock, except by special agreement.

For the purpose of taking care of the stock, *the owner* or men in charge, in proportion to the number of cars as indorsed hereon, will be passed on the train with it, and all persons thus passed are at their own risk of any personal injury whatever, and will agree to sign release to that effect indorsed on contract.

No. of cars.	Initials.	Way-bill. Series.	Way-bill. No.
....	....	....	....
....	....	....	....
....	....	....	....
....	....	....	....
....	....	....	....

Live-stock contract executed at ——— *Station,* ——— —, 188—.

This agreement, made between the Missouri Pacific Railway Company of the first part, and ——— ——— of the second part, witnesseth:

That whereas the Missouri Pacific Railway Company transports live stock as per above rules and regulations, all of which are hereby made a part of this contract by mutual agreement between the parties hereto; now, therefore, for the considerations and the mutual covenants and conditions herein contained, the said first party will transport for the said second party live stock, and the persons in charge thereof as hereinafter provided, from ——— station, to ——— station, at the rate of ——— per ———, the same being a special rate, lower than the regular rates, or a rate mutually agreed upon between the parties hereto, for and in consideration of which, the said second party hereby covenants and agrees as follows:

First. That he hereby releases the party of the first part from the liability of a common carrier in the transportation of said stock, and agrees that such liability shall be only that of a mere forwarder, or private carrier for hire, and also hereby agrees to waive and release, and does hereby release said first party from any and all liability for or on account of any delay in shipping said stock after the delivery thereof to its agent, and from any delay in receiving the same after being tendered to its agent.

In order to avoid misunderstanding, shippers are respectfully requested to read this contract.

No. of cars.	Initials.	Way-bill. Series.	Way-bill. No.

Second. That said second party hereby agrees to accept, and does accept, for the transportation of his said stock, the cars tendered him by the said first party, and agrees that he will see that they are in good and safe condition, and that they are securely fastened so as to prevent the escape of said stock therefrom, and that he will not hold said first party responsible for any loss or damage which may result from neglect or failure on his part, or of his agents or employés, to do so; and also agrees to assume, and does hereby assume, all risks of injury or loss to his stock because of any defect in said cars, of their being wild, unruly, weak, or maiming each other or themselves, or of heat, suffocation, or other results of being crowded in the cars, or of being injured or destroyed by fire on any account whatever, and especially because of burning hay, straw, or other materials used for bedding the cars, or feeding the stock, or for any other purpose.

Third. That, at his own risk and expense, he is to take care of, feed, water, and attend to said stock, while the same may be in the stock-yards of the said first party, or elsewhere, awaiting shipment, and while the same is being loaded, transported, unloaded and reloaded, and to load and unload, and reload the same at feeding and transfer points, and wherever the same may be unloaded and reloaded, for any purpose whatever, and hereby covenants and agrees to hold said first party harmless on account of any and all losses or damages to his said stock while being so in his charge, and so cared for, and attended to, by him or his agents or employés, as aforesaid.

Fourth. That he, the said second party, for the considerations aforesaid, hereby assumes, and releases said first party from all risks of injury or loss which may be sustained by reason of any delay in the transportation of his said stock, caused by any mob, strike, threatened or actual violence to persons or property, from any source, failure of machinery or cars, injury to track or yards, storms, floods, escape or robbery of any of said stock, overloading cars, fright of animals, or crowding one upon another, or any and all causes, except the gross negligence of the said first party.

Fifth. That in all cases, when said first party shall furnish, for the accommodation of said second party, laborers to assist in loading or unloading his stock, they shall be entirely subject to his orders and deemed his own employés while so engaged; and he hereby agrees to hold said first party harmless on account of their acts.

Sixth. That for the considerations aforesaid, said second party further expressly agrees that, as a condition precedent to his right to any damages for any loss or injury to his said stock during the transportation thereof or previous to loading thereof for shipment, he will give notice, in writing, verified by affidavit, of his claim therefor, to some general officer of said first party or to its nearest station agent, before said stock is removed from the point of shipment or from the place of destination, and before such stock is mingled with other stock, within one day after the delivery of such stock at its point of destination, and before the same shall have been removed, slaughtered, or intermingled with other stock, to the end that such claim may be fully and fairly investigated, and that a failure to fully comply with the terms of this clause shall be a complete bar to any recovery of any and all such claims.

Seventh. The said second party further agrees, for the consideration aforesaid, that in case of total loss of any of his said stock for any cause for which the said first party will be liable to pay for the same, the actual cash value at the time and place of shipment, but in no case to exceed one hundred dollars per head, shall be taken and deemed as a full compensation therefor, and in case of injury or partial loss the amount or damages claimed shall not exceed the same proportion.

Eighth. That this contract does not entitle the holder thereof, or any other person, to ride on any train except for the purposes and in accordance with the rules and instructions printed on the back hereof, all of which are hereby expressly accepted and agreed to be made a part of this contract.

Ninth. This contract does not entitle the holder or other parties to ride in the cars of any train, except the train in which his stock, referred to herein, is drawn or taken.

Neither does it entitle him (and the party of the second part named in this contract so expressly stipulates, admits, and agrees) to return passage from ——— to ——— unless the said contract is presented within 15 days from the date hereof to the properly authorized agent of this company for return pass, which pass, when obtained, shall be used by those only whose names are written herein within 24 hours after the date and hour issued. Nor does it entitle any person except the party of the second part and parties who accompany him in charge of said stock, for the purpose of assisting him in taking care of the same as specified in and upon this contract (and does not include women, infants, or other persons unable to do and perform the services required, as expressed in this contract), to such return passage within the said 15 days; the object, purpose, and intent of the return pass being to enable the said party of the second part hereto, or his men in charge, as expressed in contract, and no other person to return to ——— thereon, at any time within 15 days from date hereof, and not thereafter.

Tenth. For the considerations aforesaid, the said second party hereby further agrees that the said persons in charge of said stock under this contract shall remain in the caboose-car attached to the train while the same is in motion, and that whenever such persons shall leave the caboose-car, or pass over or along the cars or track, they shall do so at their own risk of personal injury from every cause whatever, and that the said first party shall not be required to stop or start its caboose-cars from depots or platforms, or to furnish lights for the accommodation or safety of said persons.

Eleventh. In consideration of the rates herein named, and the aforesaid covenants, the shipper hereby releases and does waive and bar any and all cause of action for damages that has accrued to him by any written or verbal contract prior to the execution hereof.

Twelfth. And it is further stipulated and agreed between the parties hereto that in case the live stock mentioned herein is to be transported over the road or roads of any other railroad company the said party of the first part shall be released from liability of every kind after said live stock shall have left its road; and the party of the second part hereby so expressly stipulates and agrees; the understanding of both parties hereto being that the party of the first part shall not be held or deemed liable for anything beyond the line of the Missouri Pacific Railway Company, excepting to protect the through rate of freight named herein.

Thirteenth. *No person, other than the owner of the stock shipped, or his duly authorized agent in the name of the owner shall be allowed to sign this contract.*

Fourteenth. *The evidence that the said second party, after fully understanding and accepting all the terms, covenants, and conditions of this contract, including the printed rules and regulations at its head and on the back thereof, and that they all constitute a part hereof, fully assents to each and all of the same, is his signature hereto.*

——— ———, *Agent,*
for the ——— Railway Company.

Witness,
——— ———.

——— ———, *Shipper.*

To be other than either of the contractors.

[Form 123.]

WABASH, SAINT LOUIS AND PACIFIC RAILWAY COMPANY.

LIVE STOCK CONTRACT.

Rules and regulations for the transportation of live stock.

Live-stock in quantities less than a full car-load, will be rated as follows:

One horse, mule, or horned animal	2,000 pounds, first-class.
Two horses, mules, or horned animals	3,500 pounds, first-class.
Three horses, mules, or horned animals	5,000 pounds, first-class.
Each additional horse, mule, or horned animal	1,000 pounds, first-class.
Stallions (be sure and take release)	4,000 pounds, first-class.
Calves, though in no case less than 75 cts. each	ea. 500 pounds, once and half first-class.
Sheep, though in no case less than 75 cts. each	ea. 200 pounds, once and half first-class.
Pigs and store hogs, actual weight	once and half first-class.

This line will not assume any liability over one hundred dollars on horses and valuable live stock, except by special agreement.

Agents are not allowed to receive and ship such valuable horse or other animal until a proper contract or release is signed by the owner or shipper thereof.

When live stock is shipped, the owner or his agent is to feed, water, and take care of his stock, at his own expense and risk, and is to assume all risk of injury or dam-

age that the animals may do to themselves or each other, or which may arise from delay of trains.

Stock will only be taken by the car-load at the prices fixed under the table of "special rates," when a contract is executed by the station agent and shipper, to be loaded and unloaded, watered and fed by the owner, and at his risk in all respects, except as specified in form of contract on receipt below.

Shippers in charge of stock will be passed on freight trains, on stock contract as follows:

One (1) man for two (2) or three (3) cars; two (2) men for four (4) to seven (7) cars, and three (3) men for eight (8) cars or more, which is the maximum number that will be passed with stock for one owner. All persons thus passed are at their own risk of personal injury from any cause whatever.

Men in charge of stock will not be allowed to ride on passenger trains on their stock contract.

Mixed shipments of stock will not be allowed except by special authority of the general freight agent.

Agents of the company are not authorized to agree to forward live stock to be delivered at any specific time, nor are they authorized to agree to furnish cars for shippers to load at any stated time; they will make requisition on train master for cars in the order in which shippers have applied for them, and when cars are received, will distribute them in like manner.

Agents will ask train master for instructions as to when, and for what train, stock should be loaded, and will not allow shippers to load their stock until such instructions have been received.

Stock pens, at stations on the line, are provided for the use and convenience of live stock shippers; but it must be distinctly understood that the company does not assume any liability for live stock while remaining in such pens; and no agent of the company will receipt for, or in any way acknowledge the receipt of live stock while in the pens, and will not execute contract until stock is loaded.

No. of cars.	
	This agreement, made this —— day of ——— A. D. 18—, between the "Wabash, Saint Louis and Pacific Railway Company," party of the first part, and ——— ———, witnesseth:
———	That the party of the first part will, in consideration of the agreement herein contained, forward to the party of the second part, ——— men and the following freight, to wit: ——— from ——— to ———, at the rate of ———
.....	per ———, which is a reduced rate expressly agreed upon between the parties hereto, and in consideration of which rate the party of the second part stipulates and agrees as follows: *First.* The party of the second part agree to take
.....	care of said freight while the same is being transported, and load and unload the same at his or their own risk and expense. *Second.* The party of the
.....	second part expressly agrees that neither the party of the first part nor any connecting line or lines over which said freight may pass, shall be responsible for any loss, damage, or injury which may happen to said freight, or be
.....	sustained by it, while being loaded, forwarded, or unloaded. *Third.* The party of the second part agrees that as soon as said live stock is placed in said
.....	cars he will see that the doors and openings in said cars are closed and so fastened, and afterwards kept so closed and fastened, as to prevent the escape
.....	of said stock therefrom, and the party of the second part in consideration of this agreement, hereby releases the party of the first part and all connecting
.....	lines from all claims for damage or loss sustained by the party of the second part in consequence of the escape of any of said live stock through the doors
.....	and openings in said cars. *Fourth.* It is agreed that neither the party of the first part nor any connecting line shall be responsible for any damage or in-
.....	jury sustained by said live stock from suffocation while in said cars, or for any injury caused by overloading cars, or from fright of animals, or from the
.....	crowding of one upon or against another. *Fifth.* It is agreed that neither the party of the first part nor any connecting line shall be responsible for any
.....	delay caused by storm, failure of machinery or cars, or from obstructions of track from any cause, or for any injury caused by fire from any cause what-
.....	ever. *Sixth.* In consideration of this agreement the party of the second part hereby releases the party of the first part and connecting lines from all
.....	claims for damage that may be occasioned by the burning of hay, straw, or other material placed in said car or cars for the purpose of feeding or bedding
	said stock. *Seventh.* The party of the second part, in consideration of the rate named in this contract, further agrees to water and feed said stock at his or their own risk and expense while the same is in the cars of said first party or connecting lines, and in the event of any unusual delay or detention of

said live stock while on said trip from any cause whatever, the party of the second part agrees to accept as full compensation for all loss or damage sustained in consequence of such delay, the amount actually expended by him or them in the purchase of food and water for the stock aforesaid. *Eighth.* The party of the second part hereby agrees to assume all risk of injury or damage to, or escape of the live stock aforesaid, which may happen to it while in the stock-yards of the said first party awaiting shipment at any point on any line of railroad owned or operated by it. *Ninth.* It is hereby further agreed by and between the parties hereto, that the party of the first part and the connecting lines over which said freight may pass, shall be deemed merely forwarders, and they shall only be responsible for such injuries to said live stock as may be caused by gross negligence. *Tenth.* In consideration of the rate aforesaid it is further agreed that no claim for damages which may accrue to the party of the second part under this contract, shall be allowed or paid by the party of the first part, or sued for in any court, by the party of the second part, unless a claim for such loss or damage shall be made in writing, verified by the affidavit of the party of the second part or his or their agent, and delivered to the general freight agent of the party of the first part at his office, in the city of St. Louis, within five (5) days from the time said stock is removed from said cars; and it is also agreed that if any loss or damage occurs upon a connecting line, then such line shall not be liable unless a claim shall be made in like manner, and delivered in like time, to some officer or general agent of the line on which the loss or injury occurs, but it is expressly agreed between the parties hereto that said first party shall not be responsible for any damage or injury to, or loss or detention of said live stock after the same shall have left the line of railroad operated by said first party, and that all responsibility of said first party under this contract shall cease after said live stock shall have been delivered to a connecting line to be forwarded to its destination. *Eleventh.* It is agreed that neither the party of the first part, nor any connecting line, shall be liable for more than the sum of one hundred dollars on account of the loss or injury of any one horse or other animal received or carried by the party of the first part under this contract. The party of the second part further agrees to release, and does hereby release the party of the first part and connecting lines, from all claims for damage or injury to, or loss of said live stock, from any defects in the doors of said cars or their fastenings, and also from any injury to said stock, caused from defects in the slats on said cars, or from the manner in which said slats are placed on said cars, and from all injuries which said stock may sustain from kicking or goring each other while in said cars, or from kicking their feet through the slats or sides of said cars. It is further agreed that the person or persons accompanying said stock under this contract to take care of the same, shall be inside the caboose car attached to the train whenever said train or caboose car shall be in motion, and that whenever such person or persons shall leave the cabosse or pass over or along the cars or track of said first party or connecting lines they shall do so at their own risk of personal injury from every cause whatever, and neither the party of the first part nor connecting lines shall be required to stop or start its trains or caboose cars at or from depots or platforms or furnish lights for the accommodation or safety of the persons accompanying said stock to take care of the same under this contract.

Witness our hands ——— in duplicate.

WABASH, SAINT LOUIS AND PACIFIC RAILWAY CO.

By ——— ———, *Agent.*

Owner or shipper.

———— ————.

———— ————.

Two copies of this contract will be signed by both the agent of the company and the owner or shipper—one copy to be retained by the shipper and one copy to be returned to the general freight office.

(Across the face:) Not negotiable.

(2,500.)

[The Missouri Pacific Railway; Central Branch U. P. R. R.; Missouri, Kansas and Texas Railway; St. Louis, Iron Mountain and Southern Railway; Texas and Pacific Railway; International and Great Northern R. R.; Wabash, St. Louis and Pacific Railway. Total mileage, 9,757 miles.]

THE MISSOURI PACIFIC RAILWAY COMPANY AND WABASH, ST. LOUIS AND PACIFC RAILWAY.

OFFICE OF FREIGHT TRAFFIC MANAGER.

CIRCULAR NO. 20.

Rules for passing men in charge of shipments of live stock.

ST. LOUIS, *December* 28, 1883.

To Agents:

The following rules will govern the transportation of men in charge of and accompanying live stock shipped under contract over the lines within this system. No person will be allowed to go free with less than two cars in one shipment from one consignor to one consignee. One person may be allowed to go free with two or three cars; two persons with four to seven cars, and three persons with eight cars or more in one shipment. One person only will be allowed with any number of cars of hogs or sheep.

RETURNING.

No return pass will be given for less than two cars in one shipment from one consignor to one consignee. One man may return free for two or three cars, two men for four, five, six, or seven, and three men for eight cars or more in one shipment. Only one return pass will be given for two or more cars of hogs or sheep. These rules will not apply on shipments between points governed by the Southwestern Railway, Iowa Trunk Line, or Colorado Traffic Associations.

This cancels all previous instructions.

GEO. OLDS,
Freight Traffic Manager.

CIRCULAR NO. 20.

J. J. ROGERS,
General Freight Agent:

Circular numbered as above received ——— —, 188—.

———— ————, *Agent,*
Station No. —.

Agents receiving will detach, date, sign, and return this receipt to G. F. O. by first train.

NOTE.—The agent must in all cases enter plainly the name and number of his station in proper place above.

[The Missouri Pacific Railway; Central Branch U. P. R. R.; Missouri, Kansas and Texas Railway; Saint Louis, Iron Mountain and Southern Railway; Texas and Pacific Railway; International and Great Northern R. R.; Wabash, Saint Louis and Pacific Railway. Total mileage, 9,757.]

THE MISSOURI PACIFIC RAILWAY COMPANY AND WABASH, SAINT LOUIS AND PACIFIC RAILWAY.

CIRCULAR NO. 162—G.

Rules for passing men in charge of shipments of live stock.

SAINT LOUIS, *October* 31, 1883.

To Agents:

The following rules will govern the transportation of men in charge of and accompanying live stock shipped under contract over the lines within this system. One person will be allowed to go free with one, two, or three cars; two persons with four to seven cars, and three persons with eight cars or more in one shipment. One person only will be allowed with any number of cars of hogs or sheep.

RETURNING.

No return pass will be given for less than two cars in one shipment from one consignor to one consignee. One man may return free for two or three cars, two men for four, five, six, or seven, and three men for eight cars or more in one shipment. Only one return pass will be given for two or more cars of hogs or sheep. These rules will not apply on shipments between points governed by the Southwestern Railway, Iowa Trunk Line, or Colorado Traffic Association.

GEO. OLDS,
Freight Traffic Manager.

CIRCULAR NO. 162—G.

J. J. ROGERS, *General Freight Agent:*

Circular, numbered as above, received ———, 1883.

——— ——— *Agent.*
——— *Station.*

Agents receiving will detatch, sign, and return this receipt to G. F. O. by first train.

NOTE.—The agent must in all cases enter plainly the name and number of his station in proper place above.

THE MISSOURI PACIFIC RAILWAY COMPANY.

CIRCULAR NO. 90.

Transportation of stock.

ATCHISON, KANS., *December* 22, 1883.

To Agents and Conductors:

You will give your personal attention to the handling of live stock, both at stations and while in transit.

Agents are requested to see, personally, to loading stock at their respective stations; to examine all cars before and after loading, and know, from personal examination, that cars are in good condition, and that doors are securely fastened and sealed on both corners or side of each door as soon as cars are loaded.

Conductors are required to notice condition of stock when taken into train and while in transit; to see, personally, to watering same when the weather requires; and know, from a personal examination, that all doors are securely fastened and sealed. In all cases where seals are not perfect make special report to this office, giving car number and station billed from, keeping record of such report in your book for future reference.

W. W. FAGAN,
Superintendent.

L. A. EMERSON,
General Western Freight Agent.

CIRCULAR NO. 90.

L. A. EMERSON,
General Western Freight Agent, Atchison:

Circular numbered as above received ——— —, 188—.

——— ———, *Agent.*
——— ——— *Station.*

Agents receiving will detach, sign, and return this receipt by first train.

NOTE.—The agent must in all cases enter plainly the name of his station in proper place above.

1–9–84–10 M.

37.

CHICAGO AND NORTHWESTERN RAILWAY COMPANY.

Live-stock contract.

Live stock in full car-loads will be way-billed as follows:

Horses, mules, and cattle	20,000 pounds per car.
Hogs	16,000 pounds per car.
Sheep and calves	12,000 pounds per car.

Less than car-loads at rates and weights given in classifications.

No liability will be assumed on horses or valuable live stock for more than one hundred dollars per head, unless by special agreement noted hereon, and agents are not permitted to receive or ship such valuable animals until a proper contract or release is signed by the owner or shipper thereof. And it is agreed between the owner and shipper of these animals and the said railway company, that in case of accident, resulting in injury to said animals, the value thereof shall in no case be estimated at more than one hundred dollars for each animal so injured.

Shipments of live stock in car-loads, or less than car-loads, will only be taken at the rates named herein, after this contract or agreement shall have been signed by the company's station agent and the owner or shipper, by which it is agreed and understood that such owner or shipper shall load, feed, water, and take care of such stock at his own expense and risk, and will assume all risk of injury or damage that the animals may do to themselves, or each other, or which may arise by delay of trains.

Different kinds of live stock must not be loaded together in the same car (except as provided for in classifications or by special instructions). Agents are not authorized to agree to forward live stock to be delivered at any specific time.

Persons in charge of live stock will be passed on the trains with, and to take care of it as follows: One man with two or three cars; two men with four to seven cars; three men with eight cars, which is the maximum number that will be passed for one owner. No return passes will be given on account of shipments of stock-cattle westbound.

No person will be passed with one car of live stock, except that one car of horses, mules, or emigrant movables containing live stock will entitle the owner, or man in charge, to pass one way on the same train to take care of it, but these are the only two instances in which a conductor is authorized to pass any one with a single carload. Parties so passed must accompany the stock on the same train.

Agents will permit only the signatures of owners or *bona fide* employés, who accompany the stock, to be entered on back of contract, without regard to passes allowed by number of cars, and run a pen through remaining lines.

Such entry of persons in charge, and certificate of billing agent to that effect, will be the authority for conductors to pass them with the stock.

All persons are thus passed only at their own risk of personal injury from whatever cause.

WILLIAM S. MELLEN,
General Freight Agent.

HENRY C. WICKER,
Freight Traffic Manager.

Nos. of way-bills.	Nos. of cars.	No. of animals in each car.

FREIGHT OFFICE,
CHICAGO AND NORTHWESTERN RAILWAY COMPANY,
——— *Station*, ———— —, 188–.

Received of ——— ———, to be delivered at ——— Station, at special rates, being—

——— dollars per car for horses or mules.
——— dollars per car for cattle or hogs.
——— dollars per car for sheep.

In consideration of which, and for other valuable considerations, it is hereby mutually agreed that said company shall not be liable for loss by jumping from the cars, delay of trains not caused by negligence as aforesaid, or any damage said property may sustain, except such as may result from a collision of the train with other trains, or when the cars are thrown from the track in course of transportation, and in this case the company upon whose road the accident, loss, or damage shall occur, shall be liable therefor, and no suit shall be brought, or claim made, against any other company forming a part of the route, for such loss or damage (it being expressly understood and agreed that the responsibility of this railway company shall cease upon delivery of said property to its connecting line, unless otherwise agreed to in writing, and signed by the respective parties hereto), and that the rules and regulations printed above are an essential part of this contract.

———— ————,
Agent.
———— ————,
Owner.

(Across the face:) Read this contract.

[Form 282.]

Live-stock contract.

Non-enumerative live stock, of all kinds, not shipped under contract, will be charged first-class rates.

Enumerative live stock, in quantities less than car-loads, will be charged as follows: One horse (except stallions), mule, or horned animal, 2,000 pounds each; two animals, 3,500 pounds; three animals, 5,000 pounds; each additional animal, 1,000 pounds, first-class rates; stallions or jacks, 4,000 pounds each, first-class rates; colts, when with their dam, 500 pounds each, first-class rates.

Live hogs, calves, and sheep, in boxes, actual weight, once and a half first class; loose, for any distance, calves, 500 pounds, hogs and sheep, 200 pounds each, once and a half first class; but not less than 75 cents each for any distance; if no partition in car, or not otherwise secured, at car-load rates, of price fixed under the table of "Special rates."

At the above rates, the owner is to feed, water, and take care of his stock at his own expense and risk, and if he fails so to do, the company may, without notice, do the same if it thinks proper, and charge the expense as additional freight; and the owner is also to assume all risk of injury or damage that the animals may do to themselves or to each other, or which may arise from delay of trains.

Two or three cars will entitle the owner or driver to pass on the train with the stock, to take care of it. Four to seven cars inclusive (one owner), two men in charge, eight cars or more, three men in charge, to pass on stock train, which is the maximum number that will be passed on any train from one consignor or party. All persons thus passed are at their own risk of personal injury from any cause whatever. On shipments of hogs, only one man will be passed with any number of cars.

No passes will be granted on shipment of single cars.

The company reserves the right of refusing, at the discretion of their agents, passes to any parties accompanying stock, without regard to quantity shipped.

No agent is authorized to make an agreement for the shipment of live stock, fresh provisions, or slaughtered hogs at any particular time. Due diligence will be observed in sending them forward.

No. of cars.

CHICAGO AND ALTON RAILWAY COMPANY.

——— *Station*, ——— —, 188-.

Memorandum of an agreement, made and concluded this day, by and between the Chicago and Alton Railroad Company, of the first part, by the station agent at the above-named station, and ——— ——— of the second part, witnesseth:

That, whereas the said Chicago and Alton Railroad Company transport cattle, hogs, horses, pigs, sheep, lambs, calves, or other live stock, only as per tariff in use at this date for stock, per car-load, or when taken less than car-loads, as per special rates published on the tariff of prices.

Now, in consideration that the said party of the first par will ransport for the party of the second part such live stock at the rate of ——— dollars per car-load, or —— cents per 100 pounds, and advanced charges ——— and other valuable considerations, the said party of the second part does hereby agree to take the risk of injuries which the animals, or either of th m, may receive in consequence of any of them being wild, unruly, weak, escaping, or maiming each other, or from delays, or in consequence of heat, suffocation, or other ill effects of being crowded in the cars, or on account of being injured by the burning of hay, straw, or any other material used by the owner for feeding stock or otherwise, and for any damage occasioned thereby, and also, all risks for damages which may be sustained by reason of any delay in such transportation, and that he will see to it that the cattle, &c., are securely placed in the cars furnished, and that the cars are properly and safely fastened, so as to prevent the escape of the live stock therefrom.

And it is further agreed between the parties, that the first party shall in no case be held liable for damages to stock shipped under this contract, in a greater sum than $100 for each horse, $75 for each bull, cow, or ox, $25 for each sheep, calf, or other animal.

And it is further mutually agreed that should loss or damage of any kind occur to the property, or any part thereof, specified in this agreement, while such property is in the possession of said first party under this agreement, said second party shall, within five days after such loss or damage has oc-

curred, make out and send to the general freight agent of said first party a written statement of his claim for damages, if said second party shall have any such claim; and unless such written statement is so made and sent within said period of five days, the amount of such loss or damage, or any part thereof, shall not be payable or recoverable, and a suit thereupon shall be forever barred, and the party of the second part hereby so expressly stipulates and agrees.

And it is further mutually agreed that any suit or action against said first party for the recovery of any claim by virtue of this agreement for loss or damage to the property, or any part thereof herein specified, shall be commenced within sixty days next after such loss or damage shall have occurred, or be thereafter forever barred; and should any suit or action be commenced against said first party after the expiration of the aforesaid sixty days, the lapse of time shall be taken and deemed as conclusive evidence against the validity of such claim, any statute of limitation to the contrary notwithstanding, and the party of the second part hereby so expressly stipulates and agrees.

And it is further agreed that the said party of the second part is to load and unload said stock at his own risk, the Chicago and Alton Railroad Company furnishing laborers to assist, who will be subject to the order of the owner or the agent while in that service; and that the said party of the second part will assume all risk for damage or injury to, or escape of, the live stock, which may happen to them while in the stock-yards awaiting shipment. And that the said second party will assume the charge of feed and water, and take care of the stock enumerated herein, at his own expense and risk while the same is in the stock-yards of the first party awaiting shipment on board the cars.

And it is further agreed between the parties hereto that the person or persons riding free, to take charge of the stock, do so at their own risk of personal injury, from whatever cause, and that the said person or persons shall sign the indorsement on the back of this agreement.

And it is further stipulated and agreed between the parties hereto that in case the live-stock mentioned herein is to be transported over the road or roads of any other railroad company, the said party of the first part shall be released from liability of every kind after said live stock shall have left its road; and the party of the second part hereby so expressly stipulates and agrees; the understanding of both parties hereto being that the party of the first part shall not be held or deemed liable for anything beyond the line of the Chicago and Alton Railroad Company, excepting to protect the through rate of freight named herein.

And this agreement further witnesseth, that the said party of the second part has this day delivered to said Chicago and Alton Railroad Company ——— ——— to be transported to ——— station on the conditions above expressed.

———, ———,
Station Agent.

Agents will enter the names of parties entitled to passes on the back of this contract. If presented by other than person named, conductor will collect fare.

CARE OF HOGS IN TRANSIT.

When the transit requires more than one day the hogs are fed at intervals of 16 to 36 hours, always receiving corn of good quality, at the rate of 2 to 4 bushels to each car-load. They are watered at the same time with as much good, fresh water from the company's tank as they will drink. A careful examination shows that the water given the stock transported on the railroads is of good quality, being taken from the tanks from which the locomotives are supplied, for which purpose the purest quality is secured. The corn supplied is invariably of good quality.

During hot weather the hogs on all roads are cooled with water, for which purpose there are special arrangements at their tanks by which as much as 50 barrels per minute is poured over them as the train moves

slowly past. The maximum distances that hogs are carried varies with different roads from 150 to 500 miles, the time required being usually less than 30 hours.

The cars are not always as clean as they should be when the hogs are loaded into them; in warm weather they are not bedded but have simply a layer of sand sprinkled over the floor, but in winter they are bedded with saw-dust, straw, or hay.

Sufficient care is not given to cleaning the cars; with most companies the rule is to remove the filth at the end of each trip. In no case is any special disinfection practiced with cars on which diseased animals may have been shipped.

The following letter from C. H. Chappell, esq., general manager of the Chicago and Alton Railroad Company, in reply to interrogations (copy of which are given above) addressed to him, regarding the transportation of hogs and their care in transit, is here given:

CHICAGO AND ALTON RAILROAD COMPANY,
GENERAL MANAGER'S OFFICE,
Chicago, January 24, 1884.

E. W. BLATCHFORD, Esq.,
American Pork Commission:

DEAR SIR: Your questions respecting the regulations governing the transportation of hogs on the Chicago and Alton Railroad will be answered as numbered, and in the order asked.

1st question. The company does transport dressed hogs, and I suppose the company will transport dead hogs for short distances to rendering establishments. The company has no tariff rate for such transportation, and if such transportation is desired it will be furnished upon special contract, having in view the circumstances, but no such hogs are ever transported to market, or under circumstances which can in any way affect the hog product of the country. It not unfrequently happens that one or more hogs die in transit to market, and such hogs are uniformly sent to a rendering establishment. For this purpose cars of this company may be employed, but, in fact, I am not aware that they have ever been so employed.

2d question. The company never transports hogs or any other animals apparently having a contagious or infectious disease. Neither this company nor any other, to my knowledge, has an inspector to determine whether animals are diseased or not, but if apparently infected with a contagious or infectious disease the agent would, as a matter of course, reject them.

3d question. The company would carry them to rendering establishments only.

4th question. The Chicago and Alton Railroad Company has not transported any hogs that have died of cholera to Chicago or any other market.

5th question. The station agent assists the shipper to pen and load his hogs, and would notice anything unusual in their condition before receiving them.

6th question. He has authority to observe the law of the land, which I understand requires him not to be instrumental in spreading contagious or infectious diseases.

7th question. Shippers load their own hogs into cars furnished to them for that purpose. The company does not inspect hogs, any further than to know that they are not diseased, and are in fit condition for transportation. The company is supposed to receive hogs for transportation in good order. As common carriers the company considers it is not at liberty to spread infect ous or contagious diseases, and, as a matter of self-protection, it does not take property which, in the exercise of reasonable judgment, will perish in transit. Hogs are frequently driven long distances to a shipping station. If they are heavy with fat, they will arrive over-fatigued and feverish. If loaded into a car and cooled frequently with water thrown from a hose, their condition will improve in transit. As a common carrier, the company would not be protected in refusing hogs in this condition, as shippers under their live stock contracts with this company assume all risks of loss or damage, except that for which employés of this company may be responsible. It is for their interest to provide all needed food and water.

8th question. Hogs vary so much in size that no fixed rule can be profitably enforced. If a car is crowded the shipper is notified that they will not ride well, and he must take out some before starting.

9th question. Please see contract with this.

[Extracts from special instructions to agents and conductors of the Chicago and Alton Railroad.]

57. Before loading live stock, examine the cars and see that the cross-bars and doors are in proper order. Count the stock as it is being loaded, so as to know the number of animals loaded into each car. While our rules require the owner to load and unload his stock, agents will render all the assistance they can, consistent with their other duties. See that the cross-bars are in their proper places and the doors securely fastened before the cars leave the station. Agents will not allow hogs or sheep to be loaded in the same car with cattle or horses. This is imperative.

72. In way-billing live stock, be particular to note on the way-bill the number of animals in the car; also note the kind of stock (whether horses, cattle, hogs, or sheep). If fine or blooded stock, note on the face of the way-bill, "Company released from liability above the value of common stock," as per stipulation in the live-stock contract.

10 M. 10-26-83.

[Form 282.]

Live-stock contract.

Non-enumerative live stock of all kinds, not shipped under contract, will be charged first-class rates.

Enumerative live stock, in quantities less than car-loads, will be charged as follows: One horse (except stallions), mule, or horned animal, 2,000 lbs. each; two animals, 3,500 lbs.; three animals, 5,000 lbs.; each additional animal, 1,000 lbs., first-class rates; stallions or jacks, 4,000 lbs. each, first-class rates; colts, when with their dam, 500 lbs. each, first-class rates.

Live hogs, calves, and sheep, in boxes, actual weight, once and a half first-class; loose, for any distance, calves, 500 lbs., hogs and sheep, 200 lbs. each, once and a half first-class; but not less than 75 cents each for any distance; if no partition in car, or not otherwise secured, at car-load rates of price fixed under the table of "special rates."

At the above rates the owner is to feed, water, and take care of his stock at his own expense and risk, and if he fails so to do, the company may, without notice, do the same if it thinks proper, and charge the expense as additional freight; and the owner is also to assume all risk of injury or damage that the animals may do to themselves or to each other, or which may arise from delay of trains.

Two or three cars will entitle the owner or driver to pass on the train with the stock to take care of it. Four to seven cars, inclusive (one owner), two men in charge, eight cars or more, three men in charge, to pass on stock train, which is the maximum number that will be passed on any train from one consignor or party. All persons thus passed are at their own risk of personal injury from any cause whatever. On shipments of hogs only one man will be passed with any number of cars.

No passes will be granted on shipment of single cars.

The company reserves the right of refusing, at the discretion of their agents, passes to any parties accompanying stock, without regard to quantity shipped.

No agent is authorized to make an agreement for the shipment of live stock, fresh provisions, or slaughtered hogs at any particular time. Due diligence will be observed in sending them forward.

No. of cars.

CHICAGO AND ALTON RAILROAD COMPANY,
——— *Station*, ———, 188–.

——— Memorandum of an agreement made and concluded this day, by and between the Chicago and Alton Railroad Company, of the first part, by the station agent at the above-named station, and ——— ———, of the second part, witnesseth:

That whereas the said Chicago and Alton Railroad Company transport cattle, hogs, horses, pigs, sheep, lambs, calves, or other live stock only as per ——— tariff in use at this date for stock, per car load, or when taken less than car loads as per special rates, published on the tariff of prices.

Now, in consideration that the said party of the first part will transport for the party of the second part such live stock at the rate of ——— dollars per car load, or —— cents per 100 pounds, and advanced charges ——— and other valuable considerations, the said party of the second party does hereby ——— agree to take the risk of injuries which the animals, or either of them, may receive in consequence of any of them being wild, unruly, weak, escaping, or maiming each other, or from delays, or in consequence of heat, suffocation,

or other ill effects of being crowded in the cars, or on account of being injured by the burning of hay, straw, or any other material used by the owner for feeding stock or otherwise, and for any damage occasioned thereby, and also all risks for damages which may be sustained by reason of any delay in such transportation, and that he will see to it that the cattle, etc., are securely placed in the cars furnished, and that the cars are properly and safely fastened, so as to prevent the escape of the live stock therefrom.

And it is further agreed between the parties that the first party shall in no case be held liable for damages to stock shipped under this contract in a greater sum than $100 for each horse; $75 for each bull, cow, or ox; $25 for each sheep, calf, or other animal.

And it is further mutually agreed that should loss or damage of any kind occur to the property, or any part thereof specified in this agreement, while such property is in the possession of said first party under this agreement, said second party shall within five days after such loss or damage has occurred, make out and send to the general freight agent of said first party a written statement of his claim for damages, if said second party shall have any such claim; and unless such written statement is so made and sent within said period of five days, the amount of such loss or damage, or any part thereof, shall not be payable or recoverable, and a suit thereupon shall be forever barred, and the party of the second part hereby so expressly stipulates and agrees.

And it is further mutually agreed that any suit or action against said first party, for the recovery of any claim by virtue of this agreement for loss or damage to the property, or any part thereof herein specified, shall be commenced within sixty days next after such loss or damage shall have occurred or be thereafter forever barred; and should any suit or action be commenced against said first party, after the expiration of the aforesaid sixty days, the lapse of time shall be taken and deemed as conclusive evidence against the validity of such claim, any statute of limitation to the contrary notwithstanding, and the party of the second part hereby so expressly stipulates and agrees.

And it is further agreed that the said party of the second part is to load and unload said stock at his own risk, the Chicago and Alton Railroad Company furnishing laborers to assist, who will be subject to the order of the owner or the agent while in that service; and that the said party of the ond part will assume all risk for damage or injury to, or escape of, the live stock, which may happen to them while in the stock-yards awaiting shipment. And that the said second party will assume the charge of feed and water, and take care of the stock enumerated herein, at his own expense and risk, while the same is in the stock-yards of the first party awaiting shipment on board the cars.

And it is further agreed between the parties hereto, that the person or persons riding free, to take charge of stock, do so at their own risk of personal injury, from whatever cause, and that the said person or persons shall sign the indorsement on the back of this agreement.

And it is further stipulated and agreed between the parties hereto, that in case the live stock mentioned herein is to be transported over the road or roads of any other railroad company, the said party of the first part shall be released from liability of every kind after said live stock shall have left its road; and the party of the second part hereby so expressly stipulates and agrees; the understanding of both parties hereto being that the party of the first part shall not be held or deemed liable for anything beyond the line of the Chicago and Alton Railroad Company, except to protect the through rate of freight named herein.

And this agreement further witnesseth that the said party of the second part has this day delivered to said Chicago and Alton Railroad Company ——— to be transported to ——— station, on the conditions above expressed.

———.

Station Agent.

Agents will enter the names of parties entitled to passes on back of this contract. If presented by other than person named, conductor will collect fare.

10th question. Condition not specified unless there is doubt as to their riding well.

11th question. The regulations of the company require the trainmen in charge of trains transporting hogs to see that they do not suffer from heat, crowding, or lack of food and water.

12th question. They are cooled and watered during warm weather as often as they require it, and food is given to them daily.

13th question. The owner or his agent attends to the loading of the hogs, and in case they are billed to Chicago or East Saint Louis markets the owner or his agent accompanies them. If billed to some eastern point each company generally takes care of the hogs while in transit over its line.

14th question. The owner can go or send them in charge of employés as he may select.

15th question. Each time the train comes to a stop the hogs are looked over to see if they are riding well or need any care.

16th question. Corn in the ear.

17th question. Always daily, often more frequently.

18th question. Good as can be obtained.

19th question. As much as they need.

20th question. The water given comes from the fresh-water lakes of the company, where it is collected from grass-covered lands, and is kept perfectly pure for use in the locomotives of the company.

21st question. Daily in winter; as often as they need it at other seasons.

22d question. As much as they require.

23d question. Water is frequently used for cooling; all of the water stations of this company are fitted for cooling hogs, and as they are but 20 miles apart the conductor can comply with his instructions: "During warm weather cool frequently." As a check on the conductors, he is obliged to note in the billing stations at which he has cooled the hogs.

24th question. The company has fitted two hose connections to each water tank on the line and two large streams are thrown into each car loaded with hogs.

25th question. Twenty-four hours is the limit.

26th question. The floor of each car, in summer, is covered with six inches of clean sand. In winter straw and hay is used.

27th question. At the end of each trip.

28th question. As these cars are used on the return trip for the transportation of many articles that would be damaged by filth, they are thoroughly cleaned.

29th question. Not having transported diseased hogs, we have not disinfected cars.

Yours, truly,

C. H. CHAPPELL,
General Manager Chicago and Alton Railroad.

CONDITION AND TREATMENT OF ANIMALS AT STOCK-YARDS.

To the officers of the stock-yards there were personally presented the following interrogatories, to which full replies were in all cases given, and every possible facility offered for the frequent and thorough personal examinations which have been made:

Interrogatories concerning the receipt, condition, care, and disposition of hogs at the stock-yards, with construction, conveniences, care, and inspection of the yards.

1. Is any examination made, before unloading from cars, to detect diseased or injured hogs?
2. If so, what regulations govern such examination?
3. When does "delivery" by railroad company take place?
4. Are any special instructions given in regard to care in unloading?
5. What is done with hogs found to be sick, diseased, bruised, or crippled?
6. What is done with hogs found smothered?
7. What is done with hogs dead from disease?
8. Are they sold?
9. To whom?
10. For what purpose?
11. Where are they sent?
12. How are they transported?
13. What is done with healthy hogs on their arrival?
14. When are they fed?
15. What kind of food is given them?
16. What quantity?
17. How is it furnished to them?
18. Are they watered?
19. When?
20. How is the water furnished to them?
21. What quantity?

22. In the absence of orders by owners or consignees of hogs, have you any regular tions authorizing the feeding and watering of hogs?
23. How are the hogs cared for in bad weather?
24. How many hogs die in the yards?
25. From what cause?
26. What is done with them?
27. What is done with diseased hogs if discovered in the pens?
28. How are these hogs disposed of?

CONSTRUCTION.

29. How arranged to receive hogs from cars?
30. What is the size of the pens?
31. How are they protected?
32. Are they drained?
33. How can they be cleaned?
34. What are the regulations in regard to keeping the pens clean?
35. What measures are adopted to disinfect pens where diseased hogs have been?
36. Is there any inspection made of the sanitary condition of the yards, or the condition and care of the hogs?
37. If so, under what authority?
38. Is such inspection sufficient and effective to secure the sanitary condition of the premises, and prevent any hogs, diseased or in improper condition, going into food?
39. What is the amount of business done annually?
40. What are your total receipts?
41. What is the average weight of hogs for the year?
42. What is total value of hogs received?
43. Please state what system of supervision is adopted to prevent any diseased hogs going into food, and under what authority such supervision is exercised, whether municipal, State, or the national or local humane society.

ARRIVAL AT STOCK-YARDS.

When the loaded trains draw up to the platforms at the stock-yards "delivery" by the railroad companies takes place. There is no special examination before unloading to detect diseased or injured hogs. There are more or less dead hogs on nearly every train, the most of which have been smothered in transit. The number varies, but will reach from 0.3 to 1 per cent., and such animals are always sent to the offal rendering works. We find no exceptions to this rule. The stock-yard companies being also interested in the offal rendering establishments, are very particular to prevent any dead animals escaping them. The State and municipal boards of health have also men stationed continually in the stock-yards of Chicago, and most other cities to see that no animals unfit for food shall enter into consumption.

The entrances of these stock-yards are at all times carefully guarded, and no animals are allowed to pass through without a ticket, properly signed and certified to, being given up. These tickets specify the animal, its condition, and the exact division and pen from which it has come, or to which it is being driven.

The following is a blank form of the tickets used in the Chicago stock-yards:

Driven into Div. _____

By _____

For _____

Block. Pen. _____ *Cattle.*

"____"__ _____ *Calves.*

"____"__ _____ *Hogs.*

"____"__ _____ *Sheep.*

_____ 188

____ _____

GATE ORDER, DIVISION D.

(Stamped:) U. S. Y. & T. Co., Jan. 10, 1884.

WM. FALLON, Div. Supt.

Order of

Pass out for

B. (Block.) P. (Pen.) Chute.

Cattle.

Hogs.

Cows.

Calves.

Sheep.

alley *Deliverer.*

DISPOSITION OF DEAD OR INJURED HOGS.

The dead hogs at Chicago are loaded into box cars and sent to the Union Rendering Company's offal establishment at Globe Station. At Kansas City they are sent in a similar manner to the Kansas City Desiccating and Refining Company. At Cincinnati they go to fertilizer companies, and at other points they are disposed of in a similar manner. Such dead animals are cut up, put into tanks, and heated by steam for about eighteen hours, when the grease is drawn and the residuum pressed.

There are several qualities of grease made which in the trade are known as "white," "yellow," and "brown" grease. All qualities of grease are put into old tierces and sold upon their merits. The bulk of this grease is used in the manufacture of lubricating oils, candles, and soap. The remainder of the carcass is manufactured into fertilizers.

At Chicago and other points the animals which are bruised or crippled are carted to slaughter-houses and killed. They are then examined by the city health officer, who decides whether they are fit for food.

If condemned, they are rendered into grease. Such animals, if used for food, generally enter into local consumption. The meat of animals at all feverish is liable to become "sour." Sick hogs are always condemned and tanked with the offal.

DISPOSITION OF HEALTHY HOGS.

The healthy hogs, when unloaded from the cars, are driven across the platform and down a guarded, inclined plane, into the yards. They are then put into covered pens which in most yards are floored. At Chicago the pens allow 500 square feet to each car-load of hogs. At Kansas City they are 18 by 28 feet, and 24 feet square; at Saint Louis they are 16 by 44 feet, and 32 by 44 feet; at Indianapolis they are 30 by 40 feet; and at Cincinnati 24 feet square.

Each pen is furnished with a watering-trough, which at most places is partly covered to prevent hogs from lying in it. The pens are cleaned by a force of men with horse-carts, kept constantly at work, who go over each pen once in one or two weeks. No disinfection is practiced beyond cleaning and occasionally washing out the pens.

CARE OF HOGS IN THE YARD.

The hogs are fed on corn at the request of the owner, or if the owner does not accompany them, they are fed by the stock-yard company. This is seldom neglected, as the corn is furnished by the companies at a price considerably above market rates, and it is to their interest to

see that the animals are properly supplied. If for any reason the animals are not fed within a reasonable time, the agent of the Humane Society has power to order that this be done. As a rule the hogs are fed as soon as yarded, with good sound corn, at the rate of two bushels to a car-load. They are also watered at the same time with a plenty of good, fresh water, which is run into the troughs from hydrants. In winter, men are employed in some yards to keep the hogs from crowding upon and smothering each other. The deaths in the yards are very few, not amounting to more than one in a thousand hogs handled, and these are mostly from overheating, smothering, or accidents.

If sick hogs are discovered in the yards at Chicago, Cincinnati, or Kansas City, the health officer has power to kill them at once. At a few points they are kept in pens by themselves, to await results; or, are sold to farmers at a low price, who buy them on the chance of their recovery. The hogs that die or are killed as above in the yards at once become the property of the offal rendering companies, who pay a nominal price for them, and they are immediately taken to the rendering establishments.

Replies received from the stock-yard companies at Baltimore, Philadelphia, Jersey City, New York, West Albany, Buffalo, and Boston confirm the information obtained in the West as to the condition of the hogs when they arrive, the small mortality in transit (less than 1 per cent.), and the good care of the animals.

SANITARY SUPERVISION.

At Chicago there are both State and city health officers stationed in the yards; at Cincinnati there are city health officers; the Indianapolis yards are visited occasionally by officers of the board of health; at the City of Kansas an officer is stationed at the yards, who has power to kill diseased animals; at St. Louis and East St. Louis there is no effective supervision at present; but one is about being established. At Chicago, Cincinnati, and City of Kansas it is believed that this inspection is sufficient to prevent any diseased animal from being used for food products. At Indianapolis, and particularly at St. Louis, the inspection is not at present sufficient. We have no facts, however, showing that diseased hogs have been packed at any place, though we have made very particular inquiries in this direction; and, from the general opinion among packers that the meat of sick animals can not be cured without "souring;" and the great care exercised by all the packing companies to buy none but good hogs, we have every reason to believe that this has not occurred. At the same time a more rigid inspection at some of these points is greatly to be desired.

To show the care and scrutiny which is exercised in this department in this country by the State and municipal health boards, there are here inserted the following laws and ordinances, with the penalties for their infringement. These include only the reports obtained up to the date of making this report.

ILLINOIS.

City of Quincy, State of Illinois.—Ordinance No. 83.

DUTIES OF SANITARY OFFICER.

SECTION 5. It shall be the duty of the sanitary officer to keep a correct and complete record of the proceedings of the board of health; to issue all permits authorized by the board; to direct and see that the duties of the scavenger are performed as the board shall have provided; to report to the board all nuisances coming under his notice; to examine, at the request of said board, or the mayor, any boat or vessel landing at the harbor in this city, the officers, crew, or passengers of which may be sup-

posed to be affected by any contagious or infectious disease; and in all cases when it shall come to his knowledge that any one is afflicted with small-pox, he shall have placed upon or near the house occupied by such person a written or printed notice, viz, "No admitt: nce—Small-pox here;" and shall perform such other duties as pertains to his office.

POWERS OF BOARD.

SECTION 6. The board of health shall have full power to take all steps and use all means necessary to promote the cleanliness and general health of the city, or any part thereof; to order the abating of all nuisances on public or private property; but this shall not be construed to give the board of health any power to spend money not provided for in the annual appropriation for the health department, unless by special order of the council; to use any measure the board may see fit to adopt to prevent the introduction or spread of any malignant, contagious, or infectious diseases in the city; to enter or permit its officers to enter and examine, with reference to the abatement of any nuisance, all premises and all parts thereof within the city limits, and direct any bedding, clothing, or unsound meat, beef, pork, fish, hides or skins of any kind there found to be destroyed, when dangerous to the health of the inhabitants of this city.

Adopted July 19, 1880.

Ordinance No. 160.

AN ORDINANCE concerning dead animals.

SECTION 1. *Be it ordained by the city council of the city of Quincy,* That every person having within his possession or control, or upon any premises owned or occupied by him, any dead animal not proper for food, and liable to become noxious and detrimental to health if not disposed of as provided in and by section 7 of article 3 of chapter XII of the Revised Ordinances of said city, entitled health department, shall, within three hours after the death of said animal, give notice thereof to the officer in charge of the police station, and such officer shall at once cause notice thereof to be given to the board of health.

SEC. 2. That no person other than the officers of the board of health or department of police, or person or persons thereto authorized by the board of health, by contract or otherwise, shall in any way interfere with such dead animals in or remove the same from, any street or place (unless as provided by section 1); and for the purpose of disposing of or removing any such animal, any person so authorized by the board of health shall be permitted at all times during the day to enter into or upon any premises in said city.

SEC. 3. The Quincy Fertilizing and Rendering Company, or any person, copartnership of persons, or corporation who shall remove the carcass or carcasses of any dead animal or animals not slain for human food, shall give good and satisfactory bond of two thousad dollars as a guarantee that none of the product of any such carcass or carcasses shall be employed or utilized for human food; and that all grease or other products rendered or manufactured or packed for use or transportation, to or from market in the city of Quincy or elsewhere, shall be branded with a burning brand as follows: "Product of dead animals, Quincy, Ills." And no rendering of the aforesaid carcass or carcasses shall be done within the city limits of the city of Quincy.

SEC. 4. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not less than twenty-five dollars nor more than one hundred dollars for each and every offense.

Adopted September 17, 1883.

HENRX A DIX,
City Clerk.

Approved September 19, 1883.

D. F. DEADERICK,
Mayor.

IOWA.

Health laws of 1880.

FRAUDULENT LARD.

[Chapter 137, Laws of 1880.]

AN ACT to prevent fraud in the sale of lard in certain cases.

SECTION 1. *Be it enacted by the general assembly of the State of Iowa,* That all persons or associations who shall engage in the business of selling lard rendered from swine that have died of hog cholera or other diseases shall, selling or offering to sell any such lard, plainly stamp, print, or write upon the cask, barrel, or other vessels containing such lard the words "Lard from hogs which have died from disease;" or, if sold without such cask, barrel, or other receptacles, the purchaser shall be informed that the lard is from hogs which have died of disease.

SEC. 2. For a violation of the provisions of the foregoing section the offender shall, on conviction thereof, be punished by a fine of not less than five dollars, nor exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

Rules and regulations for the government of local boards of health in the State of Iowa.

DISEASED ANIMALS.

RULE 12. No animal affected with an infectious or contagious disease shall be bought, sold, or kept within the jurisdiction of this board. And any animal affected with glanders shall, after notice from this board, be immediately killed, and buried deep, without removing the hide from the carcass.*

RULE 13. No diseased animal, or its flesh, and no decayed, diseased, or unfit meat, fish, vegetables, or fruit; nor diseased, impure, or adulterated milk, nor other impure, diseased, or adulterated article used for food, shall be sold or offered for sale as food.†

WISCONSIN.

[From the city charter of the city of La Crosse, State of Wisconsin, Laws of 1882.]

19th. To establish public markets and make rules and regulations for the conduct and the government of the same; to appoint suitable officers for overseeing and regulating such markets, and to punish and restrain all persons from interrupting or interfering with the due observance of such rules and regulations; to license and regulate butchers' stalls, shops, and stands for the sale of game, poultry, meats, fish, and other provisions, and to regulate the sale or traffic in merchandise in the city of La Crosse as they may see fit, and have power to grant license for the sale or traffic in merchandise on such terms as they may deem proper.

[From the city ordinances of February, 1881.]

SECTION 4. If any person shall expose for sale any emaciated, tainted, measly, or putrid meat, fish, vegetables, or provisions of any kind; or the flesh of any sick or diseased animal which from these or other causes shall be deemed unwholesome, the person so offering them for sale shall forfeit the penalty of five dollars for each offense; and such unwholesome meat or provisions so exposed for sale shall be destroyed by the chief of police without delay.

SECTION 7. Whoever shall kill or cause to be killed for the purpose of sale any calf less than four weeks old, or shall have in his or her possession, with intent to sell the same, the meat of any calf killed when less than four weeks old, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars; and all such meat exposed for sale or kept with intent to make sale thereof, may be seized and destroyed by the board of health, or by the chief of police, or by any policeman or health officer acting under his order.

MINNESOTA.

City of St. Paul, State of Minnesota.

[From the health ordinance of October 17, 1883.]

SEC. 96. That every butcher, grocer, and milk dealer and their agents shall allow the parties authorized by the health officer to freely and fully inspect their cattle and milk, meats, fish, and vegetables held, offered, or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

MISSOURI.

[From the act establishing the State Board of Health.]

SEC. 15. That said board of health shall take cognizance of any fatal disease which may be prevalent amongst the domestic animals of this State, and ascertain the nature and causes of such disease, and shall, from time to time, publish the result of their investigations, with suggestions for the proper treatment of such animals as may be affected, and the remedy or remedies therefor.

Approved March 29th, 1883.

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* See Code of 1873, secs. 4054, 4055, 4056, 4057, 4058.

† See Code of 1873, secs. 4035, 4036–4057, etc.

KANSAS.

ORDINANCES OF CITY OF KANSAS.

[Compiled and revised in 1883 from ordinance No. 84.]

SEC. VIII. The owner or possessor, or agent of the owner, of any dumb animal which may die in this city, shall, within twelve hours thereafter, cause the same to be removed beyond the city limits, under a penalty of five dollars for every additional twelve hours he shall allow the same to remain in the city, or dispose of the same as otherwise provided for in this ordinance; and no person or persons shall sell, expose, or offer for sale in this city, to be used as food or for culinary purposes, any unwholesome meat, or the flesh of any dead animal that was sick, overheated, or run down by dogs, or trampled upon or injured by any animal or animals, or injured by railroad cars, or otherwise, before the same was butchered or slain, or which died a natural death, or was killed by accident, casualty, or other means than the usual manner of slaying or butchering animals for market or food; nor shall any person or persons sell or offer to sell, to be used as food, any animals while living, which may be sick, or suffering from any of the causes above enumerated, or from any other cause whatever. And it shall be the dnty of any and every owner, or other person interested in any such animal or meat to see that such animal or animals, or meat does not pass into the hands of any person or dealer in meats who will or shall sell, or offer to sell the same for food or culinary purposes, and it shall be the duty of said owner, agent, or person above specified to see to and provide that said animal, animals, or meat above specified, is properly disposed of where and in such manner that said meat or animal will not and shall not be used for food or culinary purposes, and in accordance with the provisions of this ordinance. The sale of any such animal or meat as herein specified, by any person or persons, to a dealer in meats, shall be prima facie evidence in any suit brought for violation of this ordinance against the person so selling the same, and the selling of any such meat by a dealer in meats to any person shall likewise be prima facie evidence against said dealer, in any suit brought for the violation of this ordinance, and any animal or animals heretofore mentioned that has or have died, or been maimed or bruised so as to be unfit for use, shall be turned over to the person appointed by the mayor (which appointment is herein provided for) for such purposes, and it shall be the duty of said party so appointed to see that said animal or animals, or meat passes into proper and safe hands, so that it may not be offered for sale, for food, or for culinary purposes, as herein prohibited, and any owner, agent, or person interested in such meat, animal or animals, shall receive just and sufficient recompense for the same, before such person appointed by the mayor, as provided for herein, shall take, or attempt to take such meat, animal or animals, such price or compensation for the same to be determined by the agreement of the owner or agent of such animal, animals, or meat, and the party appointed by the mayor; otherwise, and upon the failure of both the parties aforesaid, or either of them, to agree upon a price or compensation for such animal, animals, or meat, and the terms of payment therefor, said owner, agent, or person interested in the same, shall immediately cause the same to be removed, as heretofore provided for in this section and ordinance. The mayor shall appoint some suitable person, whose duty it shall be to see that the provisions of this section of this ordinance are carried into effect, and such person shall receive as compensation or remuneration for his services half of each and every fine which may be assessed against any person found guilty of violating the provisions of this section, when the person is arrested and convicted on the complaint of the said person appointed by the mayor. Such person shall hold his office or position until his successor shall have been appointed, or until the mayor shall remove him, and in no case shall the city be liable for anything except as specially herein provided for. Any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined any sum not less than five nor more than one hundred dollars for each offense.

* * * * * * *

SEC. XI. No person shall slaughter any cattle, sheep, swine, or other animals within this city, except it be in a slanghter-house, under a penalty of three dollars or each and every offense, and no person shall erect or maintain any slaughter-house in this city without first obtaining a license therefor from the city council under a penalty of five dollars for every day any house, structure, or building is used for that purpose.

SEC. XII. Whenever any nuisance shall exist, or be found on any premises or elsewhere in this city, the mayor, city marshal, or his deputies, may order the owner or occupant of such premises, or the person occasioning such nuisance, to remove or abate the same; and if the person so notified fail or refuse to remove and abate the same, according to the provisions of this ordinance, then the said officers, or either of

them, may abate or remove the same at the expense of the party so failing or refusing; but if the owner, occupant, or agent of such premises is unknown or can not be found, then the said officers shall remove the same at the expense of the city; provided, however, that nothing in this section shall be so constructed as to conflict with or prevent prosecution under any other section or under this ordinance.

SEC. XIII. That if any person permit any nuisance or substance not hereinbefore mentioned to remain upon his premises, or upon any private or public grounds within this city, or shall be guilty of any violation of any of the provisions of this ordinance, such person shall be guilty of a misdemeanor, and shall, on conviction, be fined not less than one nor more than one hundred dollars.

SEC. XIV. This ordinance to take effect and be in force from and after its passage and publication in the Wyandotte Gazette.

Approved this the 21st day of February, 1878.

ELI TEED, *Mayor.*

Attest:

A. H. DEPPE,
City Clerk.

City of Kansas—Additional ordinances—Ordinance No. 216.

[First published December 8th, 1883.]

AN ORDINANCE providing for an elevated roadway viaduct or stock drive from the corner of Seventh and James streets to the stock-yards of Plankinton and Armour's, on the north side of Railroad alley.

Be it ordained by the mayor and councilmen of the city of Kansas, Kansas:

SECTION I. That it is deemed necessary and for the public good to build, erect, construct and maintain an elevated roadway viaduct or stock drive, commencing at a point far enough west of James street in stock-yard or lot to make a practical stock drive over James street, to be not less than sixteen (16) feet above the established grade of said street; thence east on the south side of Seventh street to a point opposite the alley between James and Ewing streets, thence northerly over 7th street not less than sixteen (16) feet above the established grade of 7th street; thence through the alley to 6th street; thence over 6th street not less than sixteen (16) feet above the established grade of said street to Railroad alley; thence over Railroad alley at the same grade into the lot now owned and occupied by Plankinton and Armour's as a stock-yard.

SEC. II. That the stock drive, when built, shall not be less than twelve (12) feet nor more than sixteen (16) feet wide, and shall not have any more than two spans from curb to curb in crossing any street, which shall rest upon iron columns not less than ten inches square, in center of street, which shall stand on large, flat stones, laid at least two feet below the grade of the street, and the remainder of the posts may be of pine or oak, not less than eight by ten inches square. The floor shall be laid in two thicknesses, joints broken, one of one inch and one of two inches, to prevent dust and filth dropping upon the people when passing on the streets; and the sides shall not be less than five (5) feet high, made of two-inch plank, surfaced on the outside.

SEC. III. All the material used in the construction of the roadway or stock drive shall be of good, sound lumber, free from large knots or other defects, and the work shall be done in a good, substantial, and workmanlike manner, and all material standing in or over 6th, James, and 7th streets, shall be dressed, and shall be painted with at least two coats of mineral paint.

SEC. IV. The entire cost of building, constructing, and maintaining the elevated railway or stock drive shall be borne and paid for by the firm of Plankington & Armours, and shall be constructed without any material hindrance or obstruction to the traveling public, and they shall hold the city harmless from all damages to person or property caused by any negligence on their part while building said work or operating the same.

SEC. V. It shall be the duty of the parties using the railway or stock drive to at all times to keep the same free from all offal, mud, or other filth, and to prevent the same from becoming a nuisance or damage to adjoining property.

SEC. VI. The above work shall be commenced within ninety days, and be completed within one year from the passage and publication of this ordinance.

SEC. VII. This ordinance shall take effect and be in force from and after its passage and publication in the Kansas City Globe.

Approved Dec. 5th, 1883.

R. W. HILLIKER, *Mayor.*

Attest:

H. C. STOUT,
City Clerk.

Ordinance No. 217.

[First published December 8, 1883.]

AN ORDINANCE to prohibit bringing into this city, or keeping therein for sale, selling, or offering to sell, for any other than tanking purposes, any diseased or unwholesome meat, or any animal or carcass not in a fitting condition to be used as food or for culinary purposes as therein described, and to provide for the inspection of the same.

Be it ordained by the mayor and councilmen of the city of Kansas, Kansas:

SECTION I. No person shall bring into this city, or cause to be brought into it, in any manner, or sell or offer to sell, or keep on hand with a view to sell, or expose for sale (except for tanking purposes), any unwholesome meat, or the flesh of any dead animal that was sick, overheated, or run down or trampled upon, or injured by any animal or animals, or injured in transportation on the cars, or otherwise, before the same was butchered or slain, or which died a natural death, or was killed by accident, casualty, or other means than the usual manner of slaying or butchering animals for market or food, or any cattle with enlarged upper or lower jaws, having ulcers or running sores, commonly called big-jawed cattle, or any animal fevered or emaciated from any known or unknown disease, or suffering from any disease whatever; hogs suffering from cholera, or any animal or animals, or the carcass of any animal of whatsoever kind in a condition unfit for food or culinary purposes: *Provided, however*, That sows heavy with pigs may be brought into this city and sold under the supervision of the inspector.

SEC. II. All such meat and animals described in the previous section brought into or found at any point in this city shall be inspected by the inspector appointed by the city of Kansas, immediately after their arrival or discovery, and if found, on such inspection, to be unfit for food or culinary purposes, the owner or the person claiming to own the same, or the person in charge thereof, shall immediately, on the order of the inspector, remove and sell said meat, carcass, animal or animals to any tanking or rendering establishment exclusively engaged in such business, and if no person can be found to own or claim to own or be in charge of such meat, carcass, or animals, then the inspector shall cause the same to be sold to the highest bidder and removed, and the price received after deducting expense of removal shall be subsequently paid to the owner or his agent: *Provided, however*, That said inspector may kill cattle found at any stock-yards or other place with large upper or lower jaws, commonly called big-jawed cattle, having ulcers or running sores on them, cattle emaciated from any known or unknown diseases, hogs affected with the cholera or other diseases, or animals with broken limbs, that have become fevered, on the refusal of the owner, or the person in charge, or the person on claiming to own the same, to dispose of them and cause them to be removed after inspection, condemnation, and order of removal to a tanking or rendering establishment by the inspector, as herein provided, and after being killed the carcasses shall be removed as in other cases.

SEC. III. When said meat, or any of the said animals or carcasses above described shall be conveyed into this city, or from any point in this city to any stock-yards therein, no such meat, animals, or carcasses shall be taken from any such stock-yards before inspection, and any meat, carcasses, or animals condemned by the inspector as unfit for food or culinary purposes shall be transported by cars or other means to a rendering establishment as soon as practicable, and in a manner to conceal them and render their removal as inoffensive as possible to the public. And every stock-yard doing business now in this city shall, within three days from the publication of this ordinance, designate the gates or passage ways, under instruction of the inspector, through which only said meat, animals, or carcasses shall be taken to said cars or conveyances, and by them conveyed from the yards after inspection, when the same are ordered to the tanking establishment. And no stock-yards, or person or employé having authority to issue an order for the removal of any animal or carcasses from the yards, shall issue any such order for removal, or permit any such meat, carcass, or animals as in the first section described to be removed or taken from the yards without first having the written or printed statement or certificate of the inspector that the same were inspected, and when such meat, animals, or carcasses are condemned, no stock-yard agent, officer, or employé thereof shall permit or allow the same to be taken from the stock-yards in any manner, except as hereinbefore provided. And when said meat, carcasses, or animals shall pass through and from the stock-yards, they shall immediately and directly be conveyed to a rendering establishment.

SEC. IV. The mayor and council shall annually appoint an inspector of meats and animals usually offered or sold for food or culinary purposes, who shall be a practical butcher, or skilled in diseases of animals. Such inspector shall hold his office for the period of one year, and until his successor shall be appointed and qualified, unless sooner removed for cause. He shall give bond in the sum of one thousand dollars ($1,000), with sureties to be approved by the council, and shall perform the following

duties, viz: He shall daily attend all stock-yards and other places in this city where meats are sold or offered for sale, and where animals used for food or culinary purposes are slaughtered or kept for slaughter or for sale, or suspected to be kept, and shall make diligent inspection of all meats, carcasses, and animals so kept, found, or offered for sale at any point in the city, and any such meat, carcasses, or animals found unfit for food or culinary purposes he shall condemn and order to a tanking or rendering establishment, and in an especial manner is it made his duty to make diligent search at the stock-yards and other places in the city for the classes of meat, carcasses, and animals in this ordinance described, and to inspect the same, and make the proper disposition thereof as provided by this ordinance to prevent the same from being sold or used for food or culinary purposes, through avarice, fraud, or connivance of any parties. The said inspector shall not directly or indirectly become interested in any such meat or animals, as owner or otherwise, nor shall he receive any fee or reward from any owner or person interested in the disposition of such carcasses, meats, or animals.

SEC. V. The said inspector shall receive for his services an annual salary of nine hundred dollars ($900), payable monthly in the scrip of the city at its face value. He shall have free access to all places, yards, packing-houses, or other places where such meat, carcasses, or animals may be found; and the stock-yards, its agents, officers, and servants, when any such meat, carcasses, or animals are at its yards, shall be diligent to direct the attention of the inspector to them for inspection, and to give information of any failure in the discharge of his duty to the mayor of the city; and it is made its duty to hang up at three or more of the most public places in its yards framed copies of this ordinance.

And the said inspector is hereby authorized to make arrests on view for any violation of this ordinance, with full special police powers and authority as though he were specially appointed and commissioned therefor, and shall bring all parties arrested before the police judge for trial as soon as may be.

SEC. VI. All persons violating any provision of this ordinance, either by a positive act, or a failure, refusal or neglect to act, or violating any of its provisions in any manner in which they or any of them may be violated, shall be guilty of a misdemeanor, and punished by fine not exceeding one hundred dollars ($100), or by imprisonment not exceeding three months, or by both such fine and imprisonment.

And the Kansas City Stock-yards, as far as in its province, scope, and sphere lies, is charged with the enforcement of the provisions hereof.

SEC. VII. This ordinance shall take effect and be in force from and after its passage and publication in the "Kansas City Globe."

Approved December 5th, 1883.

R. W. HILLIKER, *Mayor.*

Attest:

H. C. STOUT, *City Clerk.*

MICHIGAN.

Laws relating to the public health, 1875.

[Chapter one hundred and fifty-nine of Revised Statutes of 1846.]

(133.) SECTION 1. If any person shall knowingly sell any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding two hundred dollars.—(§7726.)

[From the first annual report of the board of health of the city of Detroit, 1882.]

A BILL to incorporate the Butchers' Slaughtering, Melting, and Cattle-Yard Association of Detroit and for other purposes.

SEC. 10. Said board of health, mayor, and controller of the city of Detroit are hereby authorized to make whatever regulations may seem to them fit in order to prevent the slaughter and sale of animals unfit for human food.

SEC. 11. Amy meat brought to the city of Detroit for sale, except from the slaughter-house of said corporation, shall be first taken by the owner thereof to the central market for inspection by the proper officer, before the same shall be sold or offered for sale. The penalty for violation of this section shall not be less than one hundred dollars nor more than five hundred dollars, or imprisonment in the Detroit house of correction not less than thirty nor more than sixty days.

SEC. 17. The meat inspector and members of the police of said city shall co-operate with said board in all matters pertaining to the abatement of nuisances and the preservation of the public health, and, upon the requisition of said board, the superintendent of police shall cause the notices of said board to be served and complaints to be made for violations of the health ordinances of said city.

INDIANA.

Laws passed at the Fifty-second regular session, 1881.

SEC. 193. Whoever overdrives, overloads, tortures, torments, deprives of necessary sustenance, or unnecessarily or cruelly beats, or needlessly mutilates or kills any animal; or impounds or confines any animal in any place and fails to supply the same during such confinement with a sufficient quantity of good, wholesome food and water, or carries in or upon any vehicle or car, or otherwise, any animal in a cruel manner, or feeds cows on food that produces impure or unwholesome milk, or abandons to die any maimed, sick, infirm, or diseased animal, or being a person or corporation engaged in transporting live stock, detains such stock in railroad cars or compartments for a longer continuous period than twenty-eight hours, after the same are so placed, without supplying the same with necessary food, water and attention, or permits such stock to be so crowded together as to overlie, wound, crush or kill each other, shall be fined not more than two hundred dollars nor less than five dollars.

SEC. 194. Whoever knowingly permits any horse, mare, or gelding, affected with the glanders, to be taken from his or her premises, or to run at large, shall be fined not more than one hundred dollars, nor less than five dollars.

SEC. 195. Whoever drives or in any manner brings Texas or Cherokee cattle into this State at any time before the first day of October, and after the first day of April in any year, and whoever purchases such cattle so driven or brought, shall be fined not more than one thousand dollars, nor less than one hundred dollars, to which may be added imprisonment in the county jail not more than one year; but nothing in this section shall be so construed as to prevent the transit of any cattle through this State on the railroads to other States, nor shall the provisions of this section apply to any cattle that shall have been, during all the previous winter north of the thirty-eighth degree of latitude, and in all prosecutions under this section, the legal presumption shall be that such cattle had not been, during all the previous winter north of the thirty-eighth parallel of latitude.

SEC. 220. Whoever packs, brands, or sells, or causes to be packed, branded, or sold, any salt, beef, pork, flour, tobacco, or hay in barrels or packages, as full barrels or packages, when such barrels or packages do not contain the weight which by law they are required to contain, shall be fined not more than one hundred dollars, nor less than ten dollars.

SEC. 221. Whoever alters or erases any brand or mark of any inspector, appointed by proper authority, placed on any barrel of salt, flour, beef, pork, or hogshead of tobacco, or other article authorized by law to be inspected and branded, shall be fined not more than one hundred dollars, nor less than five dollars.

OHIO.

[From the sixteenth annual report of the health department of the city of Cincinnati, September, 1882.

AN ORDINANCE to amend an ordinance entitled "An ordinance supplementary to an ordinance to provide for the abatement of nuisances," passed June 14, 1867.

SECTION 1. *Slaughtering, and slaughtering-pens; how regulated.—Be it ordained by the city council of the city of Cincinnati,* That it shall be unlawful for any butcher or any other person, to kill or slaughter any beeves, calves, sheep, hogs, or other animals, within said city, except in the house, yard, pen, or place where killing shall take place, shall have a perfectly water-tight floor, in which there shall be no breaking of joints nor openings of any kind, for any purpose, excepting such as shall have a water-tight tube with grating, one-half inch holes, making a direct connection with the sewers, and the earth beneath it made sufficiently solid to prevent its becoming the receptacle of filth and offensive matter; also, no hog or any other animal shall be permitted to run or remain under any slaughter-house; and moreover, the whole shall be washed and cleansed at the end of each day; and, further, that each slaughter-house or place occupied for killing of animals, as aforesaid, shall be whitewashed at least once every month, between the first of April and the first of November in each year.

SEC. 3. No person shall kill any cow, sheep, or hog, that is pregnant, nor shall any animal be slaughtered while it is in an overheated or feverish condition; and the meat of any such animal shall not be held or sold, or offered for sale for human food in any market, or elsewhere, in this city.

SEC. 4. No person shall bring into the city, or sell, or offer for sale, any cattle unfit for use, or cattle which has been exposed to, or that are liable to communicate the "cattle disease," nor the meat nor milk of any such cattle. All such cattle, meat and milk shall be confiscated and destroyed.

SEC. 5. No cased, blown, plaited, raised, stuffed, putrid, impure or unhealthy or unwholesome meat, or the meat of any animal that may have died of disease or accident, or fish, or birds, or fowls, shall be held, bought, or sold, or offered for sale for human food, or held or kept in any market, public or private, in this city.

SEC. 6. No. calf, pig, or lamb, or the meat thereof, shall be bought, held, or offered for sale for human food, in this city, which when killed was less than one month old.

SEC. 15. No cattle shall be kept in any place of which the water, ventilation, and food is not sufficient and wholesome for the preservation of their health and safe condition for food.

SEC. 2137. *Penalty for violating order of board of health.*—Whoever violates any provision of this chapter, or any order of the board of health made in pursuance thereof, or obstructs or interferes with the execution of any such order, or willfully and illegally omits to obey any such order, shall be fined in any sum not exceeding one hundred dollars, or imprisoned for any time not exceeding ninety days, or both; but no person shall be imprisoned under this section for the first offense.

For a failure to comply with any or all of the foregoing rules and regulations, the superintendent of the sanitary police is directed to cause the arrest of the person or persons so offending, either on view or by warrant from the police court of the city of Cincinnati.

Passed by the board of health November 3, 1881.

A. J. MILES, M. D.,
Health Officer.
W. C. WILLIAMS,
Clerk.

[From the Sanitary Ordinances of the city of Cleveland, 1882.]

SEC. 70. No person or persons shall bring into the city or sell or offer for sale for human food in any market, public or private, any cattle, sheep, hog or lamb, nor and meat, fish, game, or poultry that is diseased, unsound, unwholesome, or that for any other reason is judged to be unfit for human food. The fact of any cattle, sheep, hog or lamb being in any stock-yard or slaughter-house pen shall be considered sufficient evidence that the same is being exposed there for sale; and the fact that the carcass of any cattle, hog, sheep or lamb, or any part thereof, is found in any slaughter-house or any public or private market or place, dressed and prepared as such meats usually are for market, shall be deemed sufficient evidence that the same is for sale for human food; and no animal nor any part thereof, nor any fish, game, or poultry that has been examined and condemned by the inspector or his assistants, shall be held, sold, or offered for sale for human food in any market or place in the city.

SEC. 71. No person or persons shall kill for human food any cow, sheep, or hog that is pregnant, nor shall any animal be slaughtered for human food while it is in an overheated or feverish condition; and the meat of any such animal shall not be held or sold or offered for sale for human food in any market or elsewhere in the city.

SEC. 72. No person or persons shall bring into this city, or sell or offer for sale, any cattle unfit for use for human food, or cattle which have been exposed to or that are liable to communicate the cattle disease, nor the meat or milk of any such cattle.

SEC. 73. No cased, blown, plaited, raised, stuffed, putrid, impure or heated or unwholesome meat, or the meat of any animal, fish, bird, or fowl, that may have died of disease or accident, shall be held, bought or sold, or offered for sale for human food, or held or kept in any market, public or private, in the city.

SEC. 74. No calf, pig, or lamb, or the meat thereof, shall be bought, held, sold or offered for sale for human food in the city which, when killed, was less than one month old.

SEC. 81. Upon any cattle, meats, birds, fowl, fish, vegetable, or other substances and materials used for human food being found by any inspector or other officer of said board in a condition which is, in his opinion, unwholesome and unfit for human food, or in a condition or of a quality in any ordinance or section of an ordinance of the city condemned or forbidden, he shall cause the same to be examined by two reputable persons, reasonably competent to judge in respect thereto, whom he may conveniently find; and if both said persons disagree with him in opinion in respect thereto, he shall take no action and give no order relative to the same till he has been instructed by the health officer; and if one of said persons agree with him in respect to said articles, then such inspector or officer may forbid the same being offered or exposed for sale, or being sold for human food till the owner or party in charge, or other proper person, has obtained the consent of the health officer, or of said board, to their being so offered, used, or sold. If both such persons agree with him in opinion, he may order the same to be removed, and thereupon, or if said board or health officer shall have approved the judgment of said inspector, it shall be the duty of the owner or party in charge to speedily remove such articles, materials, or substances from any market, street, or place, public or private, and not sell or dispose, or offer to sell and

dispose thereof for the purpose of human food. In default of such removal, and also in case of disobedience of such order, and also in all cases where, in the opinion of the inspector of such articles, materials, or substances, by reason of their being in a damaged or offensive condition would, if allowed longer to remain, be dangerous to health, the same may be caused to be removed by any inspector or officer of said board to some suitable place, at the expense of the party who should have removed the same.

SEC. 82. It shall be unlawful for any person or persons to molest or resist any member of said board or their deputies, or its health officer, in the discharge of their duties.

SEC. 109. Upon the death of any animal in the city, the same not having been killed for human food, the owner or keeper thereof, or person killing the same, shall report the same to one of the police stations of this city within eight hours after the death of such animal.

NEW YORK.

City of Buffalo—Ordinances, 1882.

§ 10. Every person who shall keep fresh meat for sale shall keep the place at which the same shall be exposed for sale in a cleanly and wholesome condition, and free from all noxious or offensive odors; and every person offending against the provisions of this section shall forfeit and pay the sum of ten dollars for each and every offense.

§ 11. Every person who shall sell or expose for sale, or cause to be sold or exposed for sale, in this city, any unwholesome, stale, emaciated, blown, stuffed, tainted, bruised, putrid, or measly meat, poultry, or provisions, shall forfeit and pay a penalty of twenty-five dollars for each and every offense.

§ 12. Every person who shall sell, offer, or expose for sale, or cause to be sold, offered, or exposed for sale in the city of Buffalo, any bruised or diseased cow, heifer, ox, steer, bullock, hog, sheep, lamb, or calf, shall forfeit and pay a penalty of twenty-five dollars for each and every offense.

§ 25. The board of health shall appoint a scavenger and a cattle inspector. It shall be the duty of the scavenger to remove to such place or places as the board of health shall designate, all dead animals that may be found in the streets, alleys, or public grounds of the city, and for this purpose he shall report to the street commissioner's office and at police headquarters once each day, Sundays excepted, to receive such orders as may there be given him for the removal of carcasses from the streets. It shall be the duty of the cattle inspector to be present at the arrival of all cattle trains in the city of Buffalo, or as soon thereafter as practicable.

§ 26. He shall immediately notify the owner, agent, or consignee of any dead cattle, hogs, sheep, or lambs that may arrive in the city of Buffalo to take the same to some bone-yard within four hours after the train upon which they arrived is unloaded. In case any such owner, agent, or consignee shall refuse or neglect to so take the same within the time herein prescribed, it shall be the duty of the cattle inspector, and he shall have power to forthwith remove the same to some bone-yard and dispose of the same to the best advantage.

§ 27. It shall be the duty of the owner, agent, or consignee of any diseased or injured cattle, hogs, sheep, or lambs which may arrive in the city of Buffalo, and are unfit to be sold in the market, to cause the same to be immediately killed in some slaughter-house adjourning the cattle-yards and sent to some bone-yard.

§ 28. It shall be the duty of the owner, agent, or consignee of any injured cattle, sheep, hogs, or lambs which may arrive in the city of Buffalo and are fit to be sold in the market, to be immediately slaughtered, dressed, and prepared in one of the slaughter-houses adjoining the cattle-yards when in the judgment of the cattle inspector it is deemed necessary.

§ 30. Any person violating any of the provisions of sections twenty-five, twenty-six, twenty-seven, twenty-eight, and twenty-nine of this chapter, shall forfeit a penalty to the city of Buffalo of not less than five nor more than twenty-five dollars.

[From the rules and regulations of the board of health, city of Albany, April, 1882.]

§ 7. No meat, fish, birds, or fowl, or vegetables, nor any milk not being then healthy, fresh, sound, wholesome, and safe for human food, nor any meat or fish that shall have died by disease or accident, shall be brought within the city of Albany, or offered or held for sale in any public or private market anywhere in said city.

§ 9. No cattle shall be killed for human food while in an overheated, feverish, or diseased condition; and all such diseased cattle, and the place where found and their disease shall be at once reported to this board by the owner or custodian thereof.

§ 15. The word "cattle," when occurring in any section or phrase of these ordinances, shall be held to include all animals, except birds, fowl, and fish, of which the body or any part thereof is used for food. The word "butcher" shall be held to in-

clude whoever is engaged in the business of keeping, driving, or slaughtering any cattle or in selling any meat.

§ 14. The keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds, and fowls, shall be in that manner which is, or is generally, reputed or known to be best adapted to secure and continue their safety and wholesomeness as food. No slaughtering of cattle shall be permitted in the city of Albany without a special permit from this board.

§ 50. Every person who violates or refuses to comply with or who resists any of the provisions of this code of sanitary ordinances, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this board under or pursuant to any of the provisions of chapter 431 of the session laws of 1881, will be liable to the arrest, suit, penalty, fine, and punishment in said law provided and declared, of all of which notice must be taken.

MASSACHUSETTS.

[From the manual for the use of boards of health of the State of Massachusetts. Prepared by direction of the State board of health, lunacy, and charity.]

INSPECTION AND SALE OF PROVISIONS AND ANIMALS INTENDED FOR SLAUGHTER.

102. The mayor and aldermen of cities, and the selectmen of towns may annually appoint one or more persons to be inspectors of provisions and of animals intended for slaughter. Such inspectors shall be sworn faithfully to discharge the duties of their office, and shall receive such compensation as the city council or the selectmen shall determine.

103. Said inspectors may inspect all animals intended for slaughter, and all meats, fish, vegetables, produce, fruits, and provisions of all kinds, found in said cities or towns or exposed for sale or kept with intent to sell therein; and may for this purpose enter into all buildings or inclosures where said animals, meats, fish, vegetables, produce, fruits, or provisions are kept, stored, or exposed for slaughter or sale. When such animals, meats, fish, vegetables, produce, fruit, or provisions are found on such inspection to be tainted, diseased, corrupted, decayed, or unwholesome from any cause, said inspectors shall seize the same and cause them or it to be destroyed or disposed of otherwise than for food; but if at the time of the seizure the owner of the property seized notifies, in writing, the inspector seizing the same, of his desire to appeal to the board of health, said inspector shall cause said animals, meat, fish, vegetables, produce, fruit, or provisions to be inspected by said board of health, or by a committee thereof consisting of not less than two members; and if said board or committee find the same to be tainted, diseased, corrupted, or unwholesome, they shall order the same to be destroyed or disposed of otherwise than for food; if said board or committee do not so find, they shall order said animals, meat, fish, vegetables, produce, fruit, or provisions to be forthwith returned to the owner thereof. All moneys received by said inspectors or board of health for the property disposed of as aforesaid shall, after deducting all expenses incurred by reason of such seizure, be paid to the owner of such property.

105. When complaint is made on oath to any police, district, or municipal court, or to a magistrate authorized to issue warrants in criminal cases, that the complainant believes that any diseased animals, or any tainted, diseased, corrupted, decayed, or unwholesome meat, fish, vegetable, produce, fruit, or provisions of any kind, or any veal of a calf killed under four weeks old, or kept or concealed in a particular house or place with the intent to kill, sell, or offer the same for sale for food, the court or magistrate, if satisfied there is reasonable cause for such belief, shall issue a warrant to search for such animals or articles, and all such warrants shall be directed and executed as provided in section three of chapter two hundred and twelve of the public statutes. If, upon hearing, said court or magistrate determines that said animals or articles or any of them were kept or concealed for the purposes aforesaid, the same shall be destroyed or disposed of by the inspector, or by any officer designated by the court or magistrate according to the preceding provisions; if the court or magistrate does not so determine, said animals or articles shall be returned to the owner.

106. Whoever knowingly sells, or offers or exposes for sale, or has in his possession with intent to sell for food, any diseased animal, or any tainted, diseased, corrupted, decayed, or unwholesome meat, fish, vegetables, produce, fruit, or provisions of any kind whatever, shall be punished by imprisonment in jail for not more than sixty days, or by fine of not more than one hundred dollars.

109. Whoever knowingly sells any kind of diseased, corrupted, or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, shall be punished by imprisonment in the jail not exceeding six months, or by fine not exceeding two hundred dollars.

[The gist of the offense under this section consists in the guilty knowledge or evil intent of a party in selling what he knows to be unfit for food. The sale, of itself, is not made criminal; but it is the sale coupled with the knowledge of the diseased state of the thing sold which constitutes the offense.]

CONTAGIOUS DISEASES AMONG CATTLE.

143. The mayor and aldermen of cities and the selectmen of towns, in case of the existence in this commonwealth of the disease called pleuro-pneumonia among cattle, or farcy or glanders among horses, or any other contagious or infectious disease among domestic animals, shall cause the animals in their respective cities and towns, which are infected, or which have been exposed to infection, to be secured or collected in some suitable place or places within their cities or towns, and kept isolated; and, when taken from the possession of their owners, one-fifth of the expense of their maintenance shall be paid by the city or town wherein the animal is kept, and four-fifths by the commonwealth; such isolation to continue so long as the existence of such disease or other circumstances may render it necessary.

144. The mayor and aldermen and selectmen, respectively, when any such animal is adjudged by a veterinary surgeon or physician by them selected to be infected with any contagious disease, may in their discretion order such diseased animal to be forthwith killed and buried at the expense of such city or town.

145. They may cause all such animals to be appraised by three competent and disinterested men under oath, at the value thereof at the time of the appraisement, and the amount of the appraisement shall be paid as provided above.

146. They may, within their respective cities and towns, prohibit the departure of animals from any inclosure, or exclude animals therefrom.

147. They may make regulations, in writing, to regulate or prohibit the passage from, to, or through their respective cities or towns, or from place to place within the same, of any cattle or other domestic animals, and may arrest and detain, at the cost of the owners thereof, all animals found passing in violation of such regulations, and may take all other necessary measures for the enforcement of such prohibition, and also for preventing the spread of any disease among the animals to their respective cities and towns, and the immediate vicinity thereof.

148. Such regulations shall be recorded upon the records of their cities and towns respectively, and shall be published in such cities and towns in such manner as may be provided in such regulations.

149. They may cause every animal infected with any such disease, or which has been exposed thereto, to be forthwith branded upon the rump with the letter P; and no animal so branded shall be sold or disposed of except with the knowledge and consent of such mayor and aldermen and selectmen. A person who, without such knowledge and consent, sells or disposes of an animal so branded, or sells or disposes of an animal known to be affected with such disease, or to have been exposed thereto within one year previous to such sale or disposal, shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year.

150. Any person disobeying the orders of the mayor and aldermen or selectmen, made in conformity with the preceding provisions, or driving or transporting any animals contrary to the regulations made, recorded, and published as aforeaaid, shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year.

151. Whoever knows or has reason to suspect the existence of any such disease among the animals in his possession or under his care shall forthwith give notice thereof to the mayor and aldermen of the city or selectmen of the town where such animals are kept, and for failure so to do shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year.

152. A city or town whose officers neglect or refuse to carry into effect the preceding provisions shall forfeit a sum not exceeding five hundred dollars for each day's neglect.

153. The mayor and aldermen of cities and selectmen of towns, when in their judgment it is necessary to carry into effect the purposes of this chapter, may, within their respective cities and towns, take and hold, for a term not exceeding one year, any land, without buildings other than barns thereon, upon which to inclose and isolate any animals; and they shall cause the damages sustained by the owner in consequence of such taking and holding to be appraised by the assessors of the city or town wherein the lands so taken are situated; and they shall further cause a description of such land, setting forth the boundaries thereof, and the area as nearly as may be estimated, together with said appraisement, to be entered on the records of the city or town. The amount of said appraisement shall be paid, as before provided, in such sums and at such times as the mayor and aldermen or selectmen respectively may order. If the owner of land so taken is dissatisfied with said appraisement, he may, by action of contract, recover of the city or town wherein the lands lie a fair compensation for the damages sustained by him; but no costs shall be taxed unless the damages recovered in such action, exclusive of such interest, exceed said appraisement; and the commonwealth shall reimburse to the city or town four-fifths of any sum recovered of it in any such action.

154. The governor, with the advice and consent of the council, may appoint a board of cattle commissioners of not more than three members, when in his judgment the public safety may require it, and may terminate their commissions when in his judgment the public safety may permit it. The compensation of such commisioners shall not exceed four dollars per day for actual service in addition to their traveling expenses necessarily incurred.

155. When such commissioners make and publish any regulations concerning the extirpation, cure, or treatment of animals infected with, or which have been exposed to, any contagious disease, such regulations shall supercede those made by mayors and aldermen and selectmen; and mayors, aldermen, and selectmen shall carry out and enforce all orders and directions of the commissioners to them directed.

156. Such commissioners shall have all the power and authority herein conferred upon mayors, aldermen, and selectmen; and, in addition, may establish a hospital or quarantine, with proper accommodations, wherein any cattle selected by them may be detained and treated by veterinary surgeons or physicians. And for this purpose the commissioners may take any land and buildings in the manner before provided.

157. Mayors and aldermen and selectmen, within twenty-four hours after they have notice that any domestic animal in their respective cities and towns are infected with or have been exposed to any such disease, shall give notice thereof in writing to the commissioners.

158. The commissioners may make all necessary regulations for the treatment, cure, and extirpation of such disease, and may direct mayors, aldermen, and selectmen, respectively, to enforce and carry into effect all such regulations as may from time to time be made for that end, and any such officer who refuses or neglects to enforce and carry out any regulation of the commissioners shall be punished by fine not exceeding five hundred dollars for every such offense.

159. The commissioners, when in their judgment the public good requires it, may cause to be killed and buried any domestic animals which are infected with or have been exposed to such disease; and, except as provided in the following section, shall cause such animals to be appraised in the manner provided above, and the appraised value of such animals shall be paid, one-fifth by the cities or towns in which such animals were kept, and the remainder by the Commwealth.

160. In all cases of farcy or glanders, the commissioners, having condemned the animal infected therewith, shall cause such animal to be killed, without an appraisement, but may pay the owner an equitable sum for the killing and burial thereof.

161. A person who fails to comply with a regulation made or an order given by the commissioners shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year.

162. Prosecutions under the preceding section may be maintained in any county.

163. All appraisements made shall be in writing and signed by the appraisers and certified by the mayors and aldermen, or selectmen, or commissioners, respectively, to the governor and council and to the treasurers of the several cities and towns wherein the cattle appraised were kept.

164. The commissioners may examine under oath all persons believed to possess knowledge of material facts concerning the existence or dissemination or danger of dissemination of diseases among domestic animals; and for this purpose shall have all the powers vested in justices of the peace to take depositions and to compel witnesses to attend and testify, by chapter one hundred and sixty-nine of the Public Statutes. All costs and expenses incurred in procuring the attendance of such witnesses shall be allowed and paid to the commissioners from the treasury of the Commomwealth upon being certified to and approved by the governor and council.

165. Whenever animals exposed to contagious diseases are killed by order of the commissioners, and upon a post-mortem examination are found to have been entirely free from disease, the commissioners shall cause the same to be sold under their direction, first giving to the purchaser notice of the facts; and if the said purchaser or any other person shall sell said slaughtered animals or any part thereof, he shall in like manner give notice to the parties to whom such sales are made; and the proceeds of the sales made by order of the commissioners shall be applied in payment of the appraised value of said animals.

166. Whoever violates any of the provisions of the preceding sections shall be punished by fine not exceeding one hundred dollars and the costs of prosecution.

167. Cattle commissioners, now, or hereafter appointed, shall keep a full record of their doings, and report the same to the legislature on or before the tenth day of January in each year, unless sooner required by the governor; and an abstract of the same shall be printed in the annual report of the State board of agriculture.

City of Boston, State of Massachusetts.

[From the statutes and ordinances relating to the public health, 1873.]

INSPECTION OF PROVISIONS.

99. The mayor and aldermen of cities and the selectmen of towns may annually appoint one or more persons to be inspectors of provisions, who shall be sworn to faithfully discharge the duties of their office, and who shall receive such compensation as the city council of cities or the selectmen of towns shall determine.

100. Said inspectors shall have power to inspect all meats, fish, vegetables, produce, and provisions of all kinds brought into said cities or towns, or exposed for sale or kept with intent to sell therein; and may for this purpose enter into all buildings where said meats, fish, vegetables, produce, or provisions are stored or exposed for sale. When such meats, fish, vegetables, produce, or provisions are found on such inspection to be tainted, diseased, corrupted, decayed, or unwholsome from any cause, said inspectors shall seize the same and cause it to be destroyed or disposed of otherwise than for food: *Provided, however*, That if the owner of the property seized shall at the time of seizure notify said inspector in writing of his desire to appeal to the board of health, said inspector shall cause said meat, fish, vegetables, produce, or provisions to be inspected by said board of health or by a committee thereof, consisting of not less than two members, and if said board or committee shall find the same to be tainted, diseased, corrupted, or unwholesome, they shall order the same to be destroyed or disposed of otherwise than for food. All moneys received by said inspector or board of health for property disposed of as aforesaid, shall, after deducting all expenses incurred by reason of said seizure, be paid to the owner thereof.

101. Said inspectors shall have power to inspect all veal brought into said cities or towns, or offered or exposed for sale or kept with intent to sell therein, and if said veal is, in the judgment of the inspector, that of a calf killed under four weeks old, he shall seize the same and cause it to be destroyed or disposed of, as provided in the preceding section, subject, however, to the same provisions concerning appeal and the disposal of moneys that are therein contained.

102. When complaint is made on oath to any police court or magistrate authorized to issue warrants in criminal cases, that the complainant believes that any tainted, diseased, corrupted, decayed, or unwholesome meat, fish, vegetables, produce, or provisions of any kind, or any veal of a calf killed under four weeks old is kept or concealed in any particular house or place with the intent to sell or offer the same for sale, the court or magistrate, if satisfied there is reasonable cause for such belief, shall issue a warrant to search for such articles, and all such warrants shall be directed and executed as provided in the third section of chapter one hundred and seventy of the General Statutes.

103. Whoever knowingly sells, or offers, or exposes for sale, or has in his possession with intent to sell as articles of food, any tainted, diseased, corrupted, decayed, or unwholesome meat, fish, vegetables, produce, or provisions of any kind whatever, shall be punished by imprisonment in jail not exceeding sixty days, or by fine not exceeding one hundred dollars.

MANAGEMENT OF STOCK-YARDS.

The time that hogs are held by the owner or consignee in the stock-yards, before sold to the packers, is usually very short. Frequently they are sold on the day of their arrival, but are often held for better prices. The cost of keeping animals at the yards is so high that they can not be profitably kept for any length of time. No animals can enter or leave the yards without a "gate order" from the company, as previously stated.

In order to ascertain the system of receipt and care of hogs in the stock-yards, the municipal regulations and modes of inspection, and also the methods adopted by the Illinois Humane Society in enforcing the laws regarding cruelty to animals, the following questions were addressed to George Titus Williams, esq., the general superintendent of the Union Stock-yards; to John G. Shortall, esq., president of the Illinois Humane Society, and William Mitchell, agent of the same society, and to Oscar De Wolf, M. D., commissioner of health of the city of Chicago, and Matthew Lamb, the meat inspector of the health department, stationed at the stock-yards.

QUESTIONS.

1. Is any examination made before unloading from cars to detect diseased or injured hogs?
2. If so, what regulations govern such examination?
3. When does "delivery" by railroad company take place?

4. Are any special instructions given in regard to care in unloading?
5. What is done with hogs found to be sick, diseased, bruised, or crippled?
6. What is done with hogs found smothered?
7. What is done with hogs dead from disease?
8. Are they sold?
9. To whom?
10. For what purpose?
11. Where are they sent?
12. How are they transported?
13. What is done with healthy hogs on their arrival?
14. When are they fed?
15. What kind of food is given them?
16. What quantity?
17. How is it furnished to them?
18. Are they watered?
19. When?
20. How is the water furnished to them?
21. What quantity?
22. In the absence of orders by owners or consignees of hogs, have you any regulations authorizing the feeding and watering of hogs?
23. How are the hogs cared for in bad weather?
24. How many hogs die in the yards?
25. From what cause?
26. What is done with them?
27. What is done with diseased hogs if discovered in the pens?
28. How are these hogs disposed of?
29. How arranged to receive hogs from cars?
30. What is the size of the pens?
31. How are they protected?
32. Are they drained?
33. How can they be cleaned?
34. What are the regulations in regard to keeping the pens clean?
35. What measures are adopted to disinfect pens where diseased hogs have been?
36. Is there any inspection made of the sanitary condition of the yards or the condition and care of the hogs?
37. If so, under what authority?
38. Is such inspection sufficiently effective to secure the sanitary condition of the premises and prevent any hogs, diseased or in improper condition, going into food?
39. What is the amount of business done annually?
40. What are your total receipts?
41. What is the average weight of hogs for the year?
42. What is total value of hogs received?
43. Please state what system of supervision is adopted to prevent any diseased hogs going into food, and under what authority such supervision is exercised, whether municipal, State, or the national or local humane society.

Replies of G. Titus Williams, superintendent of the Union stock-yards.

Question 1. In answer to your first question I have to say there is no examination made in cars. But city and State health officers are here to examine stock after taken from cars.

Question 2. No regulations for examination in cars.

Question 3. When stock is taken from cars.

Question 4. Yes. Employés are directed to handle all stock with care, and State and city humane officers are constantly in the yards to see that all stock is properly treated.

Question 5. State and city health officers condemn all diseased animals and kill them, and they are turned over to the rendering company and sent to Globe, 24 miles from here, where they are rendered into grease.

Question 6. Hogs found smothered are all sent to Globe for the purposes aforesaid.

Question 7. Hogs dying from disease are treated the same way as 6.

Question 8. Yes.

Question 9. To Union Rendering Company at Globe.

Question 10. To be rendered into soap-grease and oil-grease.

Question 11. To Globe.

Question 12. In box cars.

Question 13. Yarded in covered and floored pens.

Question 14. As soon as yarded.

Question 15. Corn.

Question 16. About two bushels to a car-load.

Question 17. Union Stock-Yard Company delivers it in pens from wagons.
Question 18. Yes.
Question 19. Soon after arrival.
Question 20. There is a hydrant and trough in each pen, with plentiful supply of pure water.
Question 21. Unlimited quantity.
Question 22. Yes; all stock is fed and watered by the company when no one in charge or when neglected by owner or consignee.
Question 23. Hogs are kept in covered pens with plank flooring in good and bad weather alike.
Question 24. Not to exceed one in ten thousand.
Question 25. Mostly from being overheated, and other accidents.
Question 26. All sent to Globe, where all dead animals are sent by authority of the board of health.
Question 27. When diseased animals are discovered in the pens, the health officers condemn and kill them as above described. A diseased hog is rarely seen in the pens. I have not known of a single diseased hog being in these yards in two years.
Question 28. If any, would be disposed of as above stated in 27, and sent to Globe.
Question 29. Cars are set to a platform even with the car, and a bridge fitted in the doorway, and hogs and other animals driven over platform down an inclined plane into the yards.
Question 30. Pens vary in size; to accommodate from one to five car-loads of hogs allowing 500 square feet to each car-load.
Question 31. By plank floor and roof.
Question 32. Yes.
Question 33. They are cleaned by men with carts and teams.
Question 34. A sufficient force of men is kept constantly at work cleaning the pens.
Question 35. If diseased hogs should be discovered in any pen it would be thoroughly cleaned before other hogs would be allowed to be put in.
Question 36. A State agent is stationed at the yards, appointed by the governor for that purpose; also city officers.
Question 37. By authority of State and city of Chicago.
Question 38. Yes.
Question 39. Annual report shows for 1883, $201,252,772.
Question 40. For 1883, 1,878,944 cattle, 30,223 calves, 5,640,625 hogs, 749,917 sheep, 15,255 horses.
Question 41. For 1883, 247 pounds.
Question 42. For 1883, $84,609,375.
Question 43. Police officers are stationed at all the gates of the yards during business hours, at all times while the gates are open, and prevent any person taking dead animals from the yard, and compel all such animals to be taken to the said rendering company's platform, when they are taken by cars to Globe. No dead animal is allowed to be taken to any other place. The police officers are appointed by the Union Stock-Yard and Transit Company, and act in conjunction with the State agent, who is appointed by the governor of the State, and with the health officers who are appointed by the city of Chicago and the officers appointed by the Illinois Humane Society.

G. TITUS WILLIAMS,
Superintendent of Union Stock-Yard and Transit Company.

Reply of John G. Shortall, president of the Illinois Humane Society.

CHICAGO, *January* 25, 1884.

DEAR SIR: Herewith please find the answer of this society's officer, Mitchell, in reply to your inquiries.

I have traversed the subject with him, and have the fullest confidence in his reliability and judgment.

Very truly, yours,

JOHN G. SHORTALL,
President Illinois Humane Society.

E. W. BLATCHFORD, Esq.,
Of the American Pork Commission,
Of Department of Agriculture of the United States,
George B. Loring, Esq., Chairman.

Replies of William Mitchell, agent of the Illinois Humane Society.

1 and 2. There is no examination made of any hogs that are shipped into the Union Stock-Yards before they are unloaded from the cars.

3. The different railway companies consider their delivery perfect as soon as their cars stop at the platform in the yards.

4. There are special instructions given to the men who unload the cars by John B. Sherman, the vice-president and general manager of the yards. They must not use any clubs or poles with spikes in them upon the cattle, and any person that I find using them I immediately place under arrest and bring them before the police justice, and charge them with the violation of our State laws covering cruelty to animals, a copy of which will be found below, and which I am specially detailed at the yards to enforce by the Illinois Humane Society.

Extracts from laws of the State of Illinois concerning cruelty to animals. Criminal code, chapter 38, *section* 50.

Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section shall be fined not less than $3 nor more than $200, viz:

First. By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating, or cruelly killing any animal, or causing or knowingly allowing the same to be done.

Second. By cruelly working any old, maimed, infirm, sick, or disabled animal, or causing or knowingly allowing the same to be done.

Third. By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, and shelter.

Fourth. By abandoning any old, maimed, infirm, sick, or disabled animal.

Fifth. By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner. [L. 1869, p. 115, §§ 1, 2, 3, 4; p. 116, § 11. See "Animals," ch. 8, §§ 33–36.]

SEC. 51. By railroads and carriers. No railroad company or other common carrier in the carrying or transportation of any cattle, sheep, swine, or other animals shall allow the same to be confined in any car more than twenty-eight consecutive hours (including the time they shall have been upon another road) without unloading or rest, water and feeding, for at least five consecutive hours, unless delayed by storm or accident, when they shall be so fed and watered as soon after the expiration of such time as may reasonably be done. When so unloaded they shall be properly fed, watered, and sheltered during such rest by the owner, consignee, or person in custody thereof, and, in case of their default, then by the railroad company transporting them, at the expense of said owner, consignee, or person in custody of the same, and such person shall have a lien upon the animals until the same is paid.

A violation of this section shall subject the offender to a fine of not less than $3 nor more than $200. [L. 1869, p. 115, §§ 5, 6; p. 116, § 7.]

5. All hogs that arrive at the yards that are not dead are carted off to the different slaughter-houses, inside and outside of the yards, and killed. The duty of the city health officer is to examine the meat, and, if found unsound, to condemn the same. Condemned meat is rendered at establishments for that purpose.

6. They are sent to the Union Rendering Company's establishment.

7. Sent to the same place.

8. Yes.

9. Union Rendering Establishment.

10. To be made into grease, fertilizers, etc.

11. Union Rendering Establishment, situated at Globe Station, Ill., 24 miles from the yards.

12. By rail, in box cars for the purpose.

13. They are immediately placed in covered pens, with plank floors.

14. As soon as practicable after arrival.

15. Good corn.

16. Two bushels to car-load, a car-load being from 45 to 70 hogs.

17. Hauled in a cart to the pens, and left on the floor for them.

18. Each pen in the yard is supplied with a water-trough. There are pipes leading from the water works, supplied from two artesian wells (which are situated in the yard), to each trough, so that the water can be turned on or off at each pen without interfering with any other, and each trough is supplied with a hole in the bottom of it and a plug, so that the dirty water can be allowed to run off and the trough filled with clean water. This water is pure and good.

19. When they come in and afterwards when needed.

20. By pipes from the water-works into their trough.

21. All they can use.

22. There are two officers—one the agent of the Illinois Humane Society, and one agent appointed by the governor of the State—constantly in the yards, looking after the feeding and watering of stock. Any stock that comes in without some person in charge these officers order feed for, and in case of the absence of the officers the Stock Yard Company will feed them.

23. They are put into good covered pens with plank floors.

24. A small percentage; can not answer exactly.

25. From injuries received in transportation and from different diseases not known to me.

26. Sent to the Union Rendering Establishment.

27. If I find hogs diseased in the pens I report the fact to the city health officer stationed at the yards. My duties end there.

28. If the health officer condemns them, he sees that they are put into a tank and rendered into grease.

29. The landing platforms around the yards are built the same distance from the ground as the car doors, so that the hogs can walk from the cars to the platform, a little bridge being placed from each car door to the platform, so that the hogs' legs can not get in between the car and the platform. They are then driven into the pens.

30. There are two sizes of pens—1,500 surface feet and 500.

31. Fenced all around, roofed, and boarded floor.

32. Yes.

33. Scraped and cleaned by men.

34. They are always kept reasonably clean, and there are thirty carts used daily for hauling the dirt from the pens. Each cart hauls two yards of dirt at a load, and each cart hauls twelve loads per day.

35. Washed out with water from the trough supply-pipe.

36. There are three health officers in the yards who attend to the sanitary condition.

37. The board of health of Chicago.

38. There are three officers of the board of health detailed to look after diseased animals here, but I do not think the force large enough to detect *all* diseased hogs that arrive at the yards. It is true, further, that a large number of sows with young, "piggy sows," as they are called, are sold here for food. It is my opinion that, where animals are in that condition, some time should be determined upon after which their being used for food should be prohibited.

39.

40.

41.

42.

For answers to these questions see the annual report of the Union Stock-Yards Company, which I send herewith.

No hogs of any description are allowed to be driven into or out of the yards without an order, so it is impossible for any hogs, whether sick or sound, to get into or out of the yards without being seen by some connected with the yards, for they are all counted; orders have to be given (of which I inclose forms) to the officer stationed at the gates before they are allowed to pass in or out of the yards. If hogs come in diseased, if alive they are sold by the owners or consignees to whoever will buy them; if they die in the yards they go to the rendering establishment. No dead animals are allowed to be taken out of the yards for food.

WILLIAM MITCHELL,
Agent Illinois Humane Society, stationed at Union Stock Yards to Enforce the Laws Regarding Cruelty to Animals.

Replies of Oscar DeWolf, M. D., commissioner of health of the city of Chicago, and Matthew Lamb, meat inspector.

CHICAGO, *February* 4, 1884.

MR. E. W. BLATCHFORD,
of American Pork Commission:

DEAR SIR: Your circular letter of the 21st ult. only came to hand yesterday, on my return from the East.

In reply, I have the honor to inform you that I was appointed commissioner of health in February, 1877, and have been in sole charge of the department since that date; that it is made by law my duty to supervise the meat supply of the city, and that I might properly perform this duty, it became necessary to extend the supervision to an examination of live-stock arriving at the stock-yards. For this purpose, there are three officers of this department on duty at the yards—all of them experienced judges of stock—who are directed to vigorously cull out and condemn all stock which, from any cause, is unfit for food.

The stock-yard authorities and large packers doing business at the yards have always honorably and actively co-operated with this department in this work. They

have placed pens and yards at our disposal, over which the health officers have absolute control, and into which the authorities place all animals condemned by the officers, such animals being slaughtered by the officer and turned over to the Union Rendering Company, as explained by officer Lamb. Whenever the force of officers on duty at the yards has been inadequate for the work, I am permitted to employ more men of my own selection, for which service the packers and stock-yard authorities cheerfully pay.

The statute under which we are authorized to act in this direction is section 7, chapter 38, "Revised Statutes of Illinois," 1874, as follows:

"Whoever * * * shall sell or offer to sell or keep for sale any flesh of any diseased animal, or other * * * unwholesome provision shall be confined in the county jail not exceeding one year, or be fined not exceeding $1,000, or both, in the discretion of the court;" and also section 1399 of the Revised Code of the city of Chicago, as follows:

1389. That no cattle shall be killed for human food while in an overheated, feverish or diseased condition; and all such diseased cattle in the city of Chicago, and the place where found and their disease, shall be at once reported to the commissioner of health by the owner or custodian thereof, that the proper order may be made relative thereto.

Respectfully, yours,

OSCAR C. DEWOLF, M. D.,
Commissioner of Health.

By ordinance the word "cattle" includes all animals used for food.

OSCAR C. DEWOLF,
Commissioner of Health.

Replies of Matthew Lamb, meat inspector, Chicago.

1. Is any examination made before unloading from cars to detect diseased or injured hogs?

No.

2. If so, what regulations govern such examination?

None.

3. When does "delivery" by R. R. Co. take place?

Immediately after arrival at stock-yards.

4. Are any special instructions given in regard to care in unloading?

There are strict orders from the superintendent of the stock-yards co. as to care; also, not to use any poles with spears. Should any employé disobey those orders he is forthwith discharged.

5. What is done with hogs found to be sick, diseased, bruised, or crippled.

Those that are unfit for human food are condemned by health officer and consigned to rendering tanks.

6. What is done with hogs found smothered?

They are used for grease.

7. What is done with hogs dead from disease?

They are also used for grease.

8. Are they sold?

Yes.

9. To whom?

The Union Rendering Company.

10. For what purpose?

For rendering purposes.

11. Where are they sent?

They are sent to the Union Rendering Company's establishment at Globe Station, Ill., 24 miles from Chicago.

12. How are they transported?

By railroad, in tight boxed cars.

13. What is done with healthy hogs on their arrival?

They are put in covered pens; said pens have a floor composed of plank.

14. When are they fed?

Generally on arrival.

15. What kind of food is given them?

Corn of the best quality, which is inspected by a corn inspector.

16. What quantity?

As much as they can consume. It is a gain to feed them, as all hogs are sold by weight.

17. How is it furnished to them?

It is fed to them in the pens.

18. Are they watered?

They are; also the water is good, healthy, and a large amount of it, as the yards have a big supply from five artesian wells.

19. When?

The water is turned on when the hogs enter the pen.

20. How is the water furnished to them?

There is a stand pipe in the pen; also a tight trough with a plug inserted in said trough, so when the hogs are after drinking, the plug is withdrawn and fresh water again supplied, if needed.

21. What quantity?

22. In the absence of orders by owners or consignees of hogs, have you any regulations authorizing the feeding and watering of hogs?

Yes; there are two humane officers at the yards who attend to such things; one is a State officer; the other is an officer of the Chicago Humane Society; also the Stock Yards' Company attend to such matters.

23. How are the hogs cared for in bad weather?

They are well cared for.

24. How many hogs die in the yards?

A *very* small percentage.

25. From what cause?

From overloading in some cases, and a few from disease, also some piggy sows, which in my opinion should not be shipped to market.

26. What is done with them?

They go to the Union Rendering Company's tanks, for grease purposes.

27. What is done with the diseased hogs, if discovered in the pens?

When killed, they are inspected by me, the health officer, and if unfit for human food they are condemned and put into rendering tanks for grease and fertilizing purposes.

28. How are these hogs disposed of?

Condemned and put in tanks for grease and fertilizing purposes.

29. How arranged to receive hogs from cars?

The arrangements are perfect in all divisions.

30. What is the size of the pens?

The pens vary in size from 500 square feet to 2,000 square feet; the first size will contain one car-load, and the latter size four car-loads.

31. How are they protected?

They are roofed over and well protected.

32. Are they drained?

They are well and thoroughly drained.

33. How can they be cleaned?

By a two-horse cart being driven into them and the refuse matter loaded into said cart and it taken therefrom.

34. What are the regulations in regard to keeping the pens clean?

To be cleaned when needed.

35. What measures are adopted to disinfect pens where diseased hogs have been?

Thoroughly washed out with water.

36. Is there any inspection made of the sanitary condition of the yards, or the condition and care of the hogs?

There are three sanitary policemen assigned to do duty at said yards.

37. If so, under what authority?

Those officers belong to the Chicago health department.

38. Is such inspection sufficient and effective to secure the sanitary condition of the premises and prevent any hogs, diseased or in improper condition, going into food?

It is.

39. Please state what system of supervision is adopted to prevent any diseased hogs going into food; and under what authority such supervision is exercised, whether municipal, State, or the national or local humane society?

I am stationed at the Union Stock-Yards from 7 a. m. until 6 p. m. each day to see that no diseased, crippled, emaciated, or bruised animal is used for human food; to condemn and confiscate forthwith such animal or animals, and have them consigned to the rendering tanks. I am under the supervision of Oscar C. DeWolf, M. D., commissioner of health of Chicago, Ill.

MATTHEW LAMB,
Meat Inspector at Union Stock-Yards, Chicago, Ill.

JANUARY 21, 1884.

(See blank form of order of health officer herewith.)

HEALTH DEPARTMENT, CITY HALL.
Chicago, January 21, 1881.

Matthew Lamb, sanitary inspector, is authorized to condemn and remove ——, at ——, No. —— street, as being detrimental to health and unfit for human food.

PENALTY FOR THE SELLING OF UNSOUND MEATS, ETC.

For the further maintenance of the public health, it is ordered that, if any person shall, on and after June 10, 1868, sell, or expose for sale, in any market-house or elsewhere in said city, any emaciated, tainted, or putrid meat or provisions, which for these or other causes may be deemed unwholesome, such person shall, on conviction, be fined not less than five nor more than five hundred dollars for each and every offense; and it shall be the duty of the sanitary superintendent or health officer to forthwith seize and confiscate all such meat or provisions.

By order of the commissioner of health.

OSCAR C. DEWOLF,
Health Officer.

THE HOG IN THE HANDS OF THE PACKERS; THE MODE OF PURCHASE, SLAUGHTERING, AND CURING.

The following questions were addressed to all the principal packers of the country, either personally or by mail, and the replies were made accordingly.

QUESTIONS SUBMITTED TO PACKERS.

1. Where and how are the hogs purchased?
2. How do you buy your hogs?
3. In selecting hogs do you reject the following, viz:
4. Diseased?
5. Bruised or abused hogs?
6. Ruptured?
7. Still-fed?
8. Piggy sows?
9. Stags?
10. Crippled hogs?
11. Are hogs usually rejected for these reasons?
12. Is it customary to buy hogs from the general appearance, weight, and evenness of a lot?
13. What is done with rejected hogs?
14. How long are the hogs kept in your pens before slaughtering?
15. Why are they kept this length of time?
16. How do you care for them in your pens?
17. How are these pens constructed?
18. Do any die in the pens?
19. If so, how many and from what cause?
20. What is done with the dead hogs?
21. How are the hogs prepared for slaughtering?
22. How are hogs taken from the pens to the slaughtering room?
23. If hogs are unable to be driven to the slaughtering room, what is done with them?
24. What mode of slaughter do you adopt?
25. What time is allowed the hog to bleed?
26. Is an examination made whether life is extinct before scalding?

TREATMENT OF CARCASS OF HOG AFTER SLAUGHTER.

27. What is the next process with the carcass?
28. What time is allowed the carcass to cool before cutting up?
29. Is the carcass thoroughly cooled before going to the cutting-bench?
30. Is this rule strictly carried out?
31. Why is the thorough cooling of the carcass important before cutting up and commencing to cure?
32. Is there any inspection made to ascertain that it is thoroughly cooled?
33. What is the rule for cutting?
34. Is inspection of meat had at time of cutting up, and for what?
35. Is such inspection sufficiently thorough to detect disease or bruises?
36. After cutting up the carcass, how are the parts treated to effect a cure?

37. How are they piled to secure thorough curing?
38. What is the temperature of the room?
39. What time is required for curing?
40. Is meat ever shipped before being cured?
41. Is it desirable to effect a cure in as short time as possible?
42. Is not the curing of the meat often forced for purpose of making it salable and deliverable in as short time as possible?
43. Do you ascertain by inspection the soundness of your cured meat?
44. To what causes do you attribute unsound or "sour" meat?
45. Do you attribute it to diseased carcass?
46. Do you attribute it to a faulty treatment?
47. What quality of "sour" meat do you have?
48. What is done with it?
49. What, if any changes in modes of curing are adopted for meats destined to markets in different climates?
50. Can as reliable results of curing be had in summer as in winter?
51. What kind or kinds of salt are used?
52. Why do you give this kind or kinds preference?
53. How is meat packed for shipment?
54. What is the quality of the packages used?
55. What is the size of packages?
56. What weight of meat is put in each box?
57. Is any salt put in?
58. How much to each box of meat?
59. What is the rule?
60. Is this rule strictly adhered to?
61. Is not less salt used than the rule calls for to save expense?
62. What is the character of the salt used?
63. Is any care taken that the salt be clean?
64. What is your rule for cutting mess pork?
65. How many pieces in each barrel?
66. What is the weight of meat in each barrel?
67. What kind of salt is used?
68. What quantity of salt is used?
69. How is the quality tested?
70. Where is mess pork stored?
71. What are the regulations regarding its storage?
72. What is the temperature of the warehouse?
73. What examinations are made as to its conditions from time to time?
74. What number of hogs do you kill annually?
75. What is their average weight?
76. What parts of the hog do you use for lard?
77. What do you include as offal?
78. What is done with the head?
79. What is done with the feet?
80. What is done with the entrails?
81. What is done with the heart?
82. What is done with the liver and lights?
83. What is done with the blood?
84. What is done with the refuse from tanks?
85. Is all meat inspected before being shipped?
86. By whom?
87. Under what authority?
88. Is meat ever packed and shipped without being inspected?
89. Under what circumstances?
90. Do you ever guarantee inspection?
91. If so, under what circumstances and to what extent?
92. What course does the inspector take in examining meat?
93. Does he examine each piece?
94. What tests are made?
95. For fully or properly cured?
96. For stags?
97. For piggy sows?
98. For "sour" meat?
99. For bruised meat?
100. For what causes is meat rejected?
101. What is done with meat rejected by the inspectors?

PURCHASE OF HOGS.

Those packing companies which do business in the large cities purchase their hogs in the stock-yards from the shippers, owners, or consignees. Packers in the smaller cities of the country buy directly from the farmers. In all cases the buying is done by experts, who are selected because of their ability to judge of the condition and health of the hogs. Barrows and spayed sows are preferred; "stags" and "piggy" sows are rejected by some, by others they are bought at a reduction of 60 to 80 pounds on the former and 40 pounds on the latter, and cured for domestic markets. Diseased, bruised, crippled, and ruptured hogs, with very few exceptions, are rejected. Still-fed hogs (distillery swill) are also generally rejected, the meat being too soft and oily.

DISPOSITION OF REJECTED HOGS.

The rejected hogs are generally tanked for grease, but "stags" and "piggy" sows often go into consumption as second quality pork. Bruised and crippled hogs which do not seem feverish are also at times cured after slaughter, provided the meat passes inspection as fit for food, but the injured parts are always rejected. As a rule the larger establishments refuse crippled and bruised hogs, and these find their way, when not tanked, into the hands of the city butchers, and unless condemned by the health officers are sold for local consumption.

HOGS IN THE PACKERS' PENS.

All the packers hold the hogs alive for from 12 to 48 hours before killing, in order that the excitement of the journey may be allayed and that they may have time to rest and cool. If killed sooner than this the animals are more or less feverish and overheated, and the meat can not be cured without danger of a large proportion becoming "sour," particularly about the joints of the hams and shoulders. During this time the animals are kept in covered and floored pens, with good water constantly before them, as this greatly assists the "cooling," and they are fed with corn until within 24 hours of the time of slaughter. Very few hogs die in the packers' pens, and these mostly from crowding and smothering each other, but the proportion is extremely small, varying from 1 in 5,000 to 1 in 1,000 handled. Such dead hogs go to the tanks for grease.

SLAUGHTERING.

The animals to be slaughtered are driven from the pens up an inclined way to one of the upper floors of the packing-house. Those fit to be killed, and too fat or from other cause unable to walk, are hoisted up to the slaughter pen. In most of the larger houses the animals are then lifted by the hind legs, and killed by sticking with the head hanging down. A considerable number of companies, however, knock the hog on the head before sticking or hoisting, as they think better meat is made from hogs killed in this way, the struggles of the animal after being stuck by the other method being supposed at times to cause injuries to the joints. In any case they are allowed to hang and bleed from three to ten minutes, or until dead, when they are dropped into the scalding vat, then scraped, and the entrails removed, when, after washing, they go to the cooling room.

COOLING AND CUTTING.

The carcasses are allowed to hang in the cooling room from 24 to 48 hours before cutting, and hams and shoulders are frequently cooled 12 to 24 hours longer before salting. The necessity of thorough cooling is well understood by all packers, and they are extremely particular in regard to this part of the process. Some test the meat with a thermometer, others rely upon hourly tests of the temperature of the room, but all agree that the cooling must be thorough, or the meat can not be cured without "souring;" a careful inspection is generally made before cutting to determine if this has been carried to the proper point. The cutting and trimming differs somewhat, according to the directions of the boards of trade in their respective cities, and the market for which the meat is intended.

The rules established by the Board of Trade of the City of Chicago, State of Illinois, September 1, 1883, are here inserted:

REQUIREMENTS AS TO CUT AND PACKING OF HOG PRODUCTS.

Barreled Pork.

MESS PORK.

Standard mess pork should be made from sides of well-fatted hogs, split through or on one side of the back-bone, and equal proportions on both sides, cut into strips of reasonably uniform width, properly flanked and not backstrapped.

One hundred and ninety (190) pounds of green meat, and between March 1 and November 1 two hundred (200) pounds, numbering not over sixteen (16) pieces, including the regular proportion of flank and shoulder cuts, placed four layers on edge, without excessive crowding or bruising, shall be packed in each barrel with not less than thirty (30) pounds of coarse salt, and barrel filled with brine of full strength, or thirty (30) pounds of coarse salt, and in addition thereto fifteen (15) pounds of salt, and barrel filled with cold water.

PRIME MESS PORK.

Prime mess pork should be made from the shoulders and sides of hogs weighing from one hundred (100) to one hundred and seventy-five (175) pounds net, to be cut as near as practicable into square pieces of four (4) pounds each, the shank of the shoulder to be cut off close to the breast.

One hundred and ninety (190) pounds of green meat in the proportion of twenty (20) pieces of shoulder cuts to thirty (30) pieces of side cuts shall be properly packed in each barrel, with not less than twenty (20) pounds of coarse salt, and barrel filled with brine of full strength; or, twenty (20) pounds of coarse salt, and in addition thereto, fifteen (15) pounds of salt, and barrel filled with water. There shall also be put into each barrel twelve (12) ounces of saltpeter.

EXTRA PRIME PORK.

Extra prime pork should be made from heavy, untrimmed shoulders, cut into three (3) pieces; the leg to be cut off close to the breast, and in all other respects to be cut, selected, and packed as mess pork.

LIGHT MESS PORK.

Light mess pork should be made from sides of reasonably well-fatted hogs; and in all other respects to be cut, selected and packed same as mess pork, except that as many as twenty-two (22) pieces may be put into each barrel.

BACK PORK.

Back pork should be made from backs of hogs after bellies have been taken off, cut into pieces of about six (6) pounds each, and in all other respects to be cut, selected, and packed in the same manner as mess pork.

EXTRA SHOULDER PORK.

Extra shoulder pork should be made from heavy trimmed shoulders, cut into three (3) pieces; the leg to be cut off close to the breast, and in all other respects to be cut, selected, and packed in the same manner as mess pork.

EXTRA CLEAR PORK.

Extra clear pork should be made from the sides of extra heavy, well-fatted hogs, the back-bone and ribs to be taken out, the number of pieces in each barrel not to exceed fourteen (14), and in all other respects to be cut, selected, and packed in the same manner as mess pork.

CLEAR PORK.

Clear pork should be made from the sides of extra heavy, well-fatted hogs, the back-bone and half the rib next the back-bone to be taken out, the number of pieces in each barrel not to exceed (14), and in all other respects to be cut, selected, and packed in the same manner as mess pork.

CLEAR BACK PORK.

Clear back pork should be made from the backs of heavy, well-fatted hogs, after bellies have been taken off and back-bone and ribs taken out, cut into pieces of about six (6) pounds each, and in all other respects to be packed in the same manner as mess pork.

RUMPS.

Rumps should be trimmed with only enough taken off to make them neat and smooth; the tails to be cut off close, and in all other respects to be cut, selected, and packed in the same manner as mess pork.

PICKLED MEATS.

STANDARD SWEET-PICKLED HAMS.

Standard sweet-pickled hams should be cut short and well rounded at the butt, properly faced, shank cut in or above the hock joint; to be reasonably uniform in size, and to average, in lots, not to exceed sixteen (16) pounds. Three hundrəd (300) pounds, block weight, shall be packed in each tierce, with either twenty-four (24) pounds of salt, three (3) quarts of good sirup, twelve (12) ounces of saltpeter, and tierces filled with water; or tierce filled with sweet pickle made according to above standard.

STANDARD SWEET-PICKLED SHOULDERS.

Standard sweet-pickled shoulders should be well cut and trimmed, reasonably uniform in size, and to average in lots not to exceed sixteen (16) pounds. Three hundred (300) pounds, block weight, shall be packed in each tierce. Pickle the same as used for hams.

NEW YORK SHOULDERS.

New York shoulders should be made from small, smooth hogs, shank cut off 1 inch above knee joint, trimmed close and smooth, reasonably uniform in size, and to average, in lots, not to exceed fourteen (14) pounds. Three hundred (300) pounds, block weight, shall be packed in each tierce. Pickle the same as used for hams.

SWEET-PICKLED BELLIES.

Sweet-pickled bellies should be made from nice smooth hogs, well cut and trimmed, to average, in lots, not to exceed fourteen (14) pounds. Three hundred (300) pounds block weight, shall be packed in each tierce. Pickle the same as used for hams.

BRANDING.

The packer's name, location, number of pieces, and date of packing shall be branded on the head of each package of pickled meats at the time of packing.

UNIFORMITY OF PICKLED MEATS.

All pickled meats should be sized when packed, the light, medium, and heavy separately, as nearly as practicable.

CUT MEATS.

HAMS.

Hams should be cut short, well rounded at the butt, properly faced, cut in or above the hock joint.

SHOULDERS.

Shoulders should be cut as close as possible to the back part of the forearm-joint, butted off square on top; neck-bone and spare-ribs taken out, blood-vein lifted and cut out, breast flap to be trimmed off, and foot to be cut off in or above the knee-joint.

BLADED SHOULDERS.

Bladed shoulders should be cut the same as standard shoulders, excepting the shoulder-blade to be taken out and the corners rounded.

ROUGH SIDES.

Rough sides should be made by slitting the hog through or on one side of the backbone, and an equal proportion of both sides must be delivered on sales to make them standard.

SHORT CLEAR SIDES.

To make short clear sides, the backbone and ribs should be taken out, hench-bone or breast-bone sawed or cut down smooth and even with the face of the side; feather of blade-bone not to be taken out, and sides not to be backstrapped or flanked.

SHORT-RIB SIDES.

To make short-rib sides, the backbone should be taken out, hench-bone and breast-bone sawed or cut down smooth and even with the face of the side; feather of blade-bone not to be taken out, and sides not to be backstrapped or flanked.

LONG CLEAR SIDES.

To make long clear sides, the backbone, shoulder-bones, and ribs must be taken out, leg cut off close to the brisket, hench-bone and breast-bone sawed or cut down smooth and even with the face of the side, and sides not to be backstrapped or flanked.

CUMBERLAND SIDES.

To make Cumberland sides, the side and shoulder should be left together in one piece, leg cut off below the knee-joint; shoulder-ribs, neck-bone, and backbone taken out; blood vein lifted and cut out; hench-bone and breast-bone sawed or cut down smooth and even with the face of the side, and sides not to be backstrapped or flanked.

LONG-RIB SIDES.

Long-rib sides should be made same as Cumberlands, except that the shoulder bones must be taken out and leg cut off close to the brisket.

STRETFORD SIDES.

Stretford sides should be made from hogs weighing about 140 to 160 pounds net; back-bone and half of the ribs taken out, blade-bone taken out, knuckle left in, and leg cut off close to the breast.

BIRMINGHAM SIDES.

Birmingham sides should be made from hogs weighing about 170 pounds net; backbone, ribs, and blade-bone taken out, pocket-piece cut out and pocket nicely rounded, knuckle-bone left in, and leg cut off close to the breast.

SOUTH STAFFORDSHIRE SIDES.

South Staffordshire sides should be made the same as Birmingham, except loin taken out full up to top of shoulder-blade, leaving only a thin strip of lean along the back; knuckle left in, and leg cut off close to the breast.

YORKSHIRE SIDES.

Yorkshire sides should be made the same as Cumberlands, with ribs out and leg cut off about two inches above the knee.

IRISH CUT SIDES.

Irish cut sides should be made the same as long clear, except top of the pocket cut off, knuckle-bone left in.

LONG HAMS.

Long hams should be cut from the side by separating with a knife the hip-bone from the rump, properly rounded out, foot unjointed at first joint below the hock-joint.

SOUTH STAFFORDSHIRE HAMS.

South Staffordshire hams should be cut short, hip-bone taken out at socket-joint, hock unjointed at first joint below the hock-joint.

UNIFORMITY OF BOXED MEATS.

In packing meats in boxes the pieces should be classified, the light, medium, and heavy separately, as nearly as practicable, in packages made to suit the different sizes.

LARD.

CHOICE LARD.

Choice lard to be made from leaf and trimmings only, either steam or kettle rendered, the manner of rendering to be branded on each tierce.

PRIME STEAM LARD.

Prime steam lard shall be standard when made from the head, gut, leaf, and trimmings in the proportion in which the same came from the hog, but shall not include any material which has been salted.

The rules established by the Chamber of Commerce of Cincinnati, Ohio, are here inserted.

RULES FOR THE CUT AND MANUFACTURE OF THE HOG PRODUCT.

BARRELED PORK.

MESS PORK.

Mess pork shall be cut and packed from sides of well-fatted hogs in strips; the hog to be first split through the backbone, or, if split on one side, then an equal proportion of hard and soft sides, as they are termed, must be packed, properly flanked, and not backstrapped. One hundred and ninety pounds of green meat, nnmbering not over sixteen pieces, including the regular proportion of flank and shoulder cuts, four layers placed on edge, without excessive crowding or bruising, must be packed into each barrel, with not less than thirty-five pounds of good foreign, or forty pounds of good domestic, coarse salt, and filled up with good, clear brine, as strong as salt will make it. The pork to be cut reasonably uniform in width. The packer's name and location, the date of packing, and the number of pieces and pounds of green meat in each barrel must be branded on the head with a metallic brand, marking iron, or stencil brand, at the time of packing.

PRIME MESS PORK.

Prime mess pork shall be made of the shoulders and sides of nice, smooth fat hogs, weighing from 100 to 160 pounds, net, regularly cut into square pieces, as near four pounds each as possible, the shank to be cut off close to the breast; each barrel to contain one hundred and ninety pounds of green meat, in the proportion of twenty pieces of shoulder and thirty pieces of side cuts, and to be packed with twenty pounds of good, coarse salt, with the addition of eight ounces of saltpeter. The prime pieces should be cut clear of the blade-bone; the shoulder-pieces not to exceed eighty-five pounds in each barrel.

EXTRA PRIME PORK.

Extra prime pork shall be made from heavy, untrimmed shoulders, cut into three pieces, the leg to be cut off close to the breast, to be packed one hundred and ninety pounds of green meat into each barrel, with the same quantity and quality of salt as mess pork.

LIGHT MESS PORK.

Light mess pork shall be made from the sides of reasonably well-fatted hogs, and in all other respects to be cut, selected, and packed the same as mess pork, except that as many as twenty-two pieces may be put into each barrel.

FAMILY MESS PORK.

Family mess pork shall be made from backs of hogs, after bellies have been taken off, cut into pieces about six pounds each, and in all other respects to be selected and packed in the same manner as mess pork.

EXTRA SHOULDER PORK.

Extra shoulder pork shall be made from heavy, trimmed shoulders, cut into three pieces, the leg to be cut off close to the breast, and in all other respects selected and packed in the same manner as extra prime pork.

EXTRA CLEAR PORK.

Extra clear pork shall be made from the sides of extra heavy, well-fatted hogs, the back-bone and ribs to be taken out, the number of pieces in each barrel not to exceed fourteen, and in all other respects to be cut, selected, and packed in the same manner as mess pork.

CLEAR PORK.

Clear pork shall be made from the sides of extra heavy, well-fatted hogs, the back-bone and half the rib next to the back-bone to be taken out, the number of pieces in each barrel not to exceed fourteen, and in all other respects to be cut, selected, and packed in the same manner as mess pork.

CLEAR FAMILY MESS PORK.

Clear family mess pork shall be made from the backs of heavy, well-fatted hogs, after bellies have been taken off and back-bone and ribs taken out, cut into pieces of about six pouuds each, and in all other respects to be packed in the same manner as mess pork.

RUMPS.

Rumps shall be trimmed with only enough taken off to make them neat and smooth, the tails cut off close, each barrel to contain one hundred and ninety pounds of green meat, packed in the same quantity and quality of salt as mess pork, and the number of pieces to be similarly branded on each barrel at the time of packing.

PICKLED MEATS.

STANDARD SWEET-PICKLED HAMS.

Standard sweet-pickled hams shall be cut short and well rounded at the butt, properly faced, shank cut just in or above the hock-joint, to be reasonably uniform in size and average. Three hundred pounds, block weight, shall be placed in each tierce.

STANDARD SWEET-PICKLED SHOULDERS.

Standard sweet-pickled shoulders shall be well cut and trimmed; shank cut in or above the knee-joint, to be reasonably uniform in size. Three hundred pounds, block weight, shall be packed in each tierce.

NEW YORK SHOULDERS.

New York shoulders shall be made from small, smooth hogs, shank cut off one inch above knee-joint, trimmed close and smooth, reasonably uniform in size, and to average, in lots, not to exceed fourteen pounds. Three hundred pounds, block weight, shall be packed in each tierce.

SWEET-PICKLED BELLIES.

Sweet-pickled bellies shall be made from nice, smooth, hogs, well cut and trimmed, to average, in lots, not to exceed fourteen pounds. Three hundred pounds, block weight, shall be packed in each tierce.

BRANDING.

The packer's name, location, number of pieces, and date of packing shall be branded on the head of each package of pickled meats at the time of packing.

UNIFORMITY OF PICKLED MEATS.

All pickled meats shall be sized when packed, the light, medium, and heavy separately, as near as practicable.

CUT MEATS.

HAMS.

Hams shall be cut short, well rounded at the butt, properly faced, cut just in or above the hock-joint.

SHOULDERS.

Shoulders shall be cut at right angles to the side, and as close as possible to the back part of the fore-arm joint, butted off square on top, neck-bone and short ribs taken out, blood-vein lifted and cut out, breast-flap to be trimmed off, and foot to be cut off in or above the knee-joint.

BLADED SHOULDERS.

Bladed shoulders shall be cut the same as "Standard" shoulders, excepting the shoulder-blade to be taken out and the corners rounded.

ROUGH SIDES.

Rough sides shall be made by splitting the hog through one side of the back-bone, and an equal proportion of both sides must be delivered on sales, to make them "Standard."

SHORT CLEAR SIDES.

To make short clear sides the back-bone, breast-bone, and ribs shall be taken out, and hench-bone sawed down smooth and even with the face of the side, feather of blade-bone not to be taken out, edges to be left smooth, sides not to be back-strapped or flanked.

SHORT RIB SIDES.

To make short rib sides the back-bone should be taken out, hench-bone and breast-bone sawed or cut down smooth and even with the face of the side, feather of blade-bone not to be taken out, and side not to be back-strapped or flanked.

LONG CLEAR SIDES.

To make long clear sides the back-bone, shoulder-bones, ribs, and breast-bone must be taken out, leg cut off close to the brisket, hench-bone sawed down smooth and even with the face of the side, and the sides not to be back-strapped or flanked.

CUMBERLAND SIDES.

To make Cumberland sides, the side and shoulder should be left together in one piece; foot cut off in or above knee-joint; shoulder-ribs, neck-bone, and back-bone taken out; blood-vein lifted and cut out; hench-bone and breast-bone sawed or cut down smooth and even with the face of the side, and sides not to be back-strapped or flanked. Ribs must not be scribed.

LONG RIB SIDES.

Long rib sides to be made same as Cumberlands, except that the shoulder-bones must be taken out, and leg cut off close to the brisket.

STRETFORD SIDES.

Stretford sides shall be made from hogs weighing about 140 to 160 pounds net; back-bone and half the ribs taken out, blade-bone taken out, knuckle left in, and leg cut off close to the breast.

BIRMINGHAM SIDES.

Birmingham sides shall be made from hogs weighing about 170 pounds net; back-bone, ribs, and blade-bone taken out, pocket-piece cut out, and pocket nicely rounded, knuckle-bone left in, and leg cut off close to the breast.

SOUTH STAFFORDSHIRE SIDES.

South Staffordshire sides shall be made the same as Birmingham, except loin taken out full to top of shoulder-blade, leaving only a thin strip of lean along the back; knuckle left in and leg cut off close to the breast.

YORKSHIRE SIDES.

Yorkshire sides shall be made the same as Cumberlands, with the ribs out, the leg cut off about two inches above the knee.

IRISH CUT SIDES.

Irish cut sides shall be made the same as long clear, except top of the pocket cut off, knuckle-bone left in.

LONG HAMS.

Long hams shall be cut from the side by separating with a knife the hip-bone from the rump, properly rounded out, foot unjointed at first joint below the hock-joint.

SOUTH STAFFORDSHIRE HAMS.

South Staffordshire hams shall be cut short, hip-bone taken out at the socket-joint, hock unjointed at first joint below the hock-joint.

UNIFORMITY OF BOXED MEATS.

In packing meats in boxes, the pieces shall be classified—the light, medium, and heavy separately, as nearly as practicable, in packages made to suit the different sizes.

LARD.

CHOICE LARD.

Choice lard to be made from leaf and trimmings only, either by steam or kettle rendered, the manner of rendering to be branded on each tierce.

PRIME STEAM LARD.

Prime steam lard shall be standard, made from head, gut fat, leaf and trimmings, in the proportion in which the same come from the hog.

* CURRENT MAKE LARD.

Current make lard shall be standard, made from head, gut fat, leaf and trimmings in the proportion in which the same come from the hog; white and sweet; steam rendered.

RULES FOR THE REGULATION OF THE TRADE IN COOPERAGE.

Rule 1. The board of officers (directors) shall annually appoint a competent inspector of cooperage, who shall inspect all such cooperage as he may be called upon to examine according to these rules, determining with a wind-bellows the tightness of packages to hold liquids, lard, or pickled meats.

Rule 2. The certificate of such inspector shall be binding in the settlement of any differences as to the quality that may arise between buyer and seller, but, in the event of either party feeling dissatisfied with such inspection, an appeal may be made to the committee on provisions or whisky inspection, as the article inspected may properly belong to one or the other, and the decision of such committee shall be final.

The fees to be allowed the inspector shall be as follows:

For seventy-five (75) or a less number of barrels, half barrels, kegs, or tierces	$1
For lots exceeding seventy-five (75) packages of the same, per package	1½ cents.
For hogsheads, half hogsheads, or boxes, per package	3 cents.

Rule 4. The fees shall in all cases be paid by the party employing the inspector.

PACKAGES.

Cooperage shall be made of well-seasoned white oak, free from objectionable sap.

PORK BARRELS.

For pork barrels, staves shall be five-eighths (⅝) of an inch thick, thirty (30) inches long; heads made in an eighteen (18) inch tress, one (1) inch thick in center and three-eighths (⅜) of an inch at bevel; hoops of hickory, not more than ten on an end; barrel to be hooped not less than eleven-sixteenths (11-16).

TIERCES.

Tierces for hams, shoulders, or lard shall be thirty-two (32) to thirty-three (33) inches long, heads made in twenty-one (21) inch tress-hoops and same thickness as for barrels; staves may or may not be chamfered at the head, as may be agreed upon by the buyer and seller; shall be three-quarters (¾) of an inch, quality of staves and hoops to be same as for barrels. Tierces to be hooped eleven-sixteenths (11-16) and to have not more than ten hoops to an end. Iron-bound tierces, for pickled hams and shoulders, shall be classed as "Standard" if made in compliance with the requirements of this rule as to heading and staves, and hooped with not less than three (3) good hoops on each end; the chime hoops to be 1¾ inches in width, the quarter and bilge hoops to be 1½ inches in width, and to weigh, per set, not less than ten (10) pounds to the tierce.

LARD KEGS.

Lard kegs shall be made of same quality of timber as pork barrels and lard tierces; staves to be 16½ inches long and ⅝ of one inch thick, to be made in 11½-inch tress-hoops; hoops to be hickory, and the packages to be fully two-thirds hooped.

HALF BARRELS.

Half barrels for pork, beef, and lard shall be made of same quality of timber as barrels and lard tierces; staves to be 24 inches long and ⅝ to ¾ of an inch thick, and the packages to be made in 15-inch tress-hoops; all hoops to be hickory, and packages to be fully two-thirds hooped.

BEEF TIERCES.

Beef tierces shall be made the same as lard tierces, but to be entirely free from sap, and the second hoop from each end to be 1¼-inch iron, oiled or painted.

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*Adopted August 6, 1875.

SLACK HAM TIERCES.

Slack ham tierces shall be made in 22-inch tress-hoops; staves to be 33 inches long, good hickory hoops, 3 hoops at the end and 3 at the bilge.

SLACK AND FLY-TIGHT HOGSHEADS.

Slack and fly-tight hogsheads shall be made in 32-inch tress-hoops; good hickory hoops; staves to be 42 inches long. Slack hogsheads to be hooped with 12 hoops and quarter bound, middle head-piece to be pine or oak. Fly-tight hogsheads to be same as slack, but to be hooped with 16 hoops instead of 12.

HALF HOGSHEADS.

Half hogsheads shall be made in 28-inch tress-hoops; staves to be 34 inches long; good hickory hoops; packages to be quarter bound (12 hoops); middle head-piece to be of pine or oak.

BOXES.

Boxes should be made of sound, common boards, reasonably dry, one (1) inch thick, dressed on one side, not over two (2) strips at each end, and three (3) strips to each side, bottom, or top; to have good, strong, hard wood, white-wood or sap-pine stays inside each corner; shall be well nailed and strapped with birch, oak, or hickory straps around each end, to lap three (3) inches on the cover. All boxes to contain five hundred (500) pounds, net, shall have three straps. Boxes shall be nailed together with ten-penny nails, and the stays nailed in with eight-penny nails.

INSPECTION OF CARCASS WHEN CUT.

At the time of cutting there is generally a rigid inspection by the superintendent of the cutting-room of the packing companies, when all objectionable pieces—bruised and unmerchantable meat—is rejected and either sent to the rendering tanks or put by itself and classed as second quality. It is believed by the packers that this inspection is sufficiently thorough to detect any diseases or bruises that may have escaped notice before the hog was slaughtered; and it certainly would be more profitable to tank the meat at this stage, if such diseased or bruised meat were discovered, rather than attempt to carry it through the process of curing to "sour" in the end, or be detected by subsequent inspections and injure the reputation of the company. The cut meats are either packed in barrels with salt and these filled with strong brine, or they are well rubbed with salt and piled with layers of salt between. At first they are only piled two or three deep, each lot is dated, and they are rehandled as necessary and afterwards piled 4 or 5 deep, and finally the piles are made 6 to 10 layers high. The pressure must not be too great or the curing is retarded. The temperature of the room is kept at 35° to 45° Fahrenheit. If too cold, the meat does not take salt well. The time for curing varies from twenty to ninety days, according to the kind of meat, the market for which it is put up, and the season of the year. Meats free from bone cure quicker than those containing bone; those for southern markets require more curing than those for markets farther north; and less curing is neccessary in winter than in summer.

Again, English and French consumers prefer meats with less salt than is used for home consumption or for shipment to the South or the West Indies, while certain brands of hams receive as little salt as possible.

SHIPPING WHEN PARTLY CURED.

Meat is frequently shipped before it is fully cured, but it is believed the age is correctly given by the seller. If thoroughly cooled before cutting it can be shipped within ten days in winter. Barreled pork can be shipped freshly packed and cures in transit. Meats are also shipped when partly cured in boxes with salt, and also in bulk, packed in cars in the same way, and the curing goes on during transportation.

There are also said to be compounds for accomplishing the same object, but according to our information they are seldom, if ever, used. As a rule, it is not considered desirable to hasten the curing; and all meat put up to be transported long distances is fully cured.

INSPECTION OF CURED MEATS.

A thorough inspection is always made of meats when they are taken from the curing floors for packing. Some packers make a double inspection at this time; that is, it is inspected when it is taken from the curing floors, and again when packed.

The object of this inspection is to detect any pieces that may have become unsound or "sour" during the process of curing. All houses reject more or less meats at this time, the quantity rejected varying from 0.05 to 1 per cent. of the whole.

UNSOUND MEAT.

Unsound or "sour" meat is the result of various causes. If animals are slaughtered too soon after arrival in the yards; or if for any other cause they are feverish; or if the carcass is not sufficiently cooled before cutting; or if there is negligence in curing or careless handling; or if there is an excess of moisture in the atmosphere, a portion of the meat becomes tainted or "sour." If very bad, this rejected meat is tanked, but otherwise it is sold on its merits, and is marketed in the South or in the West Indies, where it is said to bring nearly as much as sound meats.

SUMMER CURING.

Some establishments pack only in winter, but many others are operated the whole year. Where there are proper facilities the summer curing not only equals that done in winter, but it is believed by some to be even more reliable, as by the use of the "refrigerator rooms" the temperature can be better controlled.

SALT USED IN PACKING.

The salts most generally used in packing in the United States are the Syracuse solar salt, of which 2,500,000 bushels were manufactured last year; Michigan solar salt, of which 50,000 bushels were manufactured last year, and Turk's Island salt.

For rubbing hams, either the ground solar salt or the Syracuse factory-filled dairy salt is employed.

Some years the War Department of the United States Government caused some practical tests to be made by having meats packed with Turk's Island and Syracuse solar salt. The meats were afterwards sent to the different ports on the sea-coast, on the Gulf of Mexico, and in the interior.

The result of the experiment demonstrated the fact that the Syracuse solar salt is equal in every respect for packing purposes to the imported

Turk's Island sea salt, and since that time the United States Government has required that beef and pork packed for the Army and Navy shall be packed with Turk's Island or Syracuse solar salt.

American packers fully appreciate the importance of good salt, and are very careful in securing the best brands.

The following analyses of American and European salts show that the salts used in this country compare very favorably with those of Europe.

Analyses of salt used in the United States.

	Sodium chloride.	Calcium chloride.	Magnesium chloride.	Sodium sulphate.
1. Turk's Island sea salt	96.760	.....	0.140	0.640
2. Syracuse, N. Y., solar salt	96.004	0.092	0.089	.....
3. Saginaw, Mich., solar salt	95.831	0.356	0.140	.....
4. Lincoln, Nebr., solar salt	98.130	.....	0.080	0.390
5. Kansas solar salt	93.060	.....	0.240	0.350
6. Hocking Valley, Ohio, solar salt	97.512	0.234	0.089	.....
7. Petite Anse, La., rock salt	98.882	0.004	0.003	.....
8. Syracuse, N. Y., "factory filled dairy"	97.832	.....	0.037	0.026

	Calcium sulphate.	Magnesium sulphate.	Insoluble matter.	Water.
1 Turk's Island sea salt	1.560	.....	.....	0.900
2. Syracuse, N. Y., solar salt	1.315	.....	.....	2.500
3. Saginaw, Mich., solar salt	0.316	.....	.....	3.344
4. Lincoln, Nebr., solar salt	0.250	.....	.....	1.200
5. Kansas solar salt	1.220	0.180	.....	4.950
6. Hocking Valley, Ohio, solar salt	.....	.....	.....	2.130
7. Petite Anse, La., rock salt	0.782	.....	.....	0.330
8. Syracuse N. Y., "factory filled dairy"	1.263	0.023	0.120	0.700

Analyses of European salt.

	Sodium chloride.	Magnesium chloride.	Sodium sulphate.	Potassium sulphate.
9. Lisbon, Portugal, first-crop sea salt	97.075	0.777	.....	.....
10. Lisbon, Portugal, second-crop sea salt	94.033	2.151	.....	.....
11. Aveirro, first-crop sea salt	97.251	1.134	.....	.....
12. Aveirro, Portugal, second-crop sea salt	98.618	0.181	.....	.....
13. St. Felice sea salt	94.072	0.141	.....	.....
14. Velicka, Galicia, rock salt	90.23	0.45	.....	1.35
15. Hall-Tyrol, rock salt	91.78	0.09	.....	1.35
16. Schönebec, Prussian, Saxony	95.40	0.08	.....	0.41
17. Dürrenberg, Saxony	92.642	0.719	0.307	.....
18. Artern, Saxony	94.835	0.616	0.488	.....
19 Halle, Saxony	92.773	0.865	.....	.....
20. Erfurth, Saxony	96.941	0.017	0.049	.....
21. Louisenthal	96.866	0.060	.....	.....

	Calcium sulphate.	Magnesium sulphate.	Insoluble matter.	Water.
9. Lisbon, Portugal, first-crop sea salt	1.538	0.565	0.045	.....
10. Lisbon, Portugal, second-crop sea salt	1.471	2.337	0.008	.....
11. Aveirro, Portugal, first-crop sea salt	0.645	0.903	0.067	.....
12. Aveirro, Portugal, second-crop sea salt	0.640	0.165	0.396	.....
13. St. Felice sea salt	0.373	0.060	0.116	5.073
14. Velicka, Galicia, rock salt	0 72	0.61	5.88	0.86
15. Hall-Tyrol, rock salt	1.19	1.21	2.49	1.89
16. Schönebec, Prussian, Saxony	0.72	0.47	.....	2.90
17. Dürrenberg, Saxony	1.632	.....	.....	4.700
18. Artern, Saxony	1.061	.....	.....	3.000
19. Halle, Saxony	1.296	.....	0.466	4.600
20. Erfurth, Saxony	2.093	.....	.....	0.900
21. Louisenthal	0.964	.....	0.110	2.000

AUTHORITIES FOR ANALYSES.

Analyses numbered 1 to 8 of salts used in the United States were made by C. A. Goessmann, Ph. D., professor of chemistry in the Massachusetts Agricultural College, and published in a lecture on salt and its uses in agriculture, delivered before the State department of agriculture in Massachusetts.

Analyses 9, 10, 11, and 12, of Portuguese salt is from the Mechanics' Magazine.

No. 13 is by Von Stolba, and are from Oesterr-Zeitschrift für Burg-u-Hüttenwesen, 1867.

Nos. 14 and 15 are by Von Stolba, and are from Die chemische Mittheilungen, Prag, 1880.

No. 16 is by Heine, and is taken from Knapp's Lehrbuch der chemischen Technologie, 3d ed.

Nos. 17, 18, 19, 20, and 21, are by Enders, and are from the Archiv der Pharmacie, vol. 143, p. 20.

PACKING THE PORK.

Mess pork is packed in barrels with layers of salt around and between the pieces. The salt used for this is usually one of the domestic brands, but the barrel is "capped" either with Turk's Island or a very fine quality of coarse salt which comes from Louisiana. The barrel is then filled with brine of full strength. From 35 to 40 pounds of salt is used to each barrel, exclusive of that contained in the brine. For box meats about 10 per cent. of salt is used for curing and 6 per cent. for packing. A few packers are said to have their salt tested by chemists, but the majority rely upon the brand and appearance.

The size and quality of the packages are generally regulated by the boards of trade. Barrels contain from 12 to 16 pieces, or 190 pounds, of meat, boxes from 400 to 750 pounds, and tierces from 325 to 350 pounds. The boxes are made of pine, the barrels and tierces of oak.

The following are the rules regulating packages in force by the Chicago Board of Trade:

PACKAGES.

Cooperage.

Cooperage shall be made of well-seasoned white or burr oak, free from objectionable sap.

Barrels.

For barrels, staves should be five-eighths ($\frac{5}{8}$) of an inch thick, twenty-nine (29) or thirty (30) inches long; heads eighteen (18) inches, one (1) inch thick in center and three-eighths ($\frac{3}{8}$) at bevel; hoops, hickory or white oak, to be hooped not less than eleven-sixteenths ($\frac{11}{16}$).

Tierces.

Tierces for hams, shoulders, beef, or lard, should be thirty-two (32) inches long with a twenty-one (21) inch head, or thirty-three (33) inches long with a twenty and one-half ($20\frac{1}{2}$) inch head; staves to be chamfered at the head. Quality of staves and hoops to be the same as for barrels; staves three-fourths ($\frac{3}{4}$) of an inch thick; heads same thickness as for barrels; hooped eleven-sixteenths ($\frac{11}{16}$). Iron-bound tierces for lard, hams, or shoulders, shall be classed as standard if made in compliance with the requirements of this rule, as to heading and staves, and hooped with not less than four good hoops on each end.

Boxes.

Boxes should be made of sound common boards, reasonably dry, one inch thick, dressed on one side, not over three strips to each end, side, bottom, or top; to have good, strong hardwood, whitewood, or sap pine stays inside each corner; should be well nailed and strapped with birch, oak, or hickory straps around each end, to lap three inches on the cover. Boxes should be nailed together with tenpenny nails, and the stays nailed in with eightpenny nails.

Mess pork is stored in warehouses at a temperature of 40° to 50° Fahrenheit. In cold weather it is often left out of doors.

INSPECTION OF PACKED MEATS.

The owners of pork have examinations made from time to time by rolling the barrels from time to time to learn if there has been leakage and loss of pickle. The boards of trade provide for an inspection of all hog products at time of sale, and this is made either by the regular board of trade or city inspectors, or by a private inspector agreed upon by the parties to the transaction. In all cases it is the privilege of the party purchasing to have a thorough inspection of the goods, and in the regular trade this inspection is always made by skilled experts. Very frequently the buyer prefers the inspection of the packers to that of public authorities, and the meats are guaranteed down to the consumer. If in this case they are in any way defective from the negligence of the packer deductions are allowed or the goods can be returned.

Generally but 2 per cent. of the pork in barrels is actually inspected at this time, though the buyer can have all inspected if he desires. Meats, either in boxes or in bulk, are examined piece by piece. A steel tryer is forced into every piece and its soundness determined by the appearance and odor of the instrument on its withdrawal.

Inspection is also made at this time for irregularly cut or oily meats, for bruises, for the meat of "stags" and "piggy" sows, and for any form of unsoundness, and all such meats are rejected.

The meat from diseased animals almost invariably "sours" in curing, and can not be made into first quality goods.

The meat of "stags" is distinguished by the thickness and coarseness of the skin, and that of "piggy" sows by the size of the teats and the general appearance.

The inspector is paid by the buyer, and the inspection is made according to rules and prices adopted by the boards of trade in all the larger cities.

The regulations for the inspection of provisions of the Chicago Board of Trade in force September 1, 1883, are as follows:

REGULATION 1. For the examination of provisions sold as standard it shall be the duty of any inpector properly appointed by the association, on receiving notice, to go to any packing-house or warehouse in the city to examine provisions, in such quantities as may be required, selecting the same in such a manner from the lots specified as, in his judgment, will give a fair sample of the whole.

REG. 2. If, upon examination, the property is found, in all respects, up to the requirements of the classification of the grades adopted by the association, he shall issue a certificate to that effect, which certificate shall state the number of packages, pieces, or pounds examined, and also the number of packages, pieces, or pounds in the lot to which the examination is intended to apply, and that the packages (if any) are in good merchantable order and condition. In the case of lard no certificate for inspection shall be issued unless every package is examined; but, on request of the owner or person ordering the inspection, the inspector may examine a part of a lot, and issue a certificate of such examination, stating the number of packages examined, and also the whole number of packages in the lot.

REG. 3. When necessary to remove property for the convenience of examination, it

shall be the duty of the inspector to send for the same, that a fair sample may be obtained. In no case should a certificate be granted on samples delivered by the seller.

REG. 4. The fees for inspection are established as follows: For inspection by sampling—including repacking and coopering—beef and pork, for the first five barrels, eighty (80) cents per barrel, and for each additional barrel, twenty-five (25) cents. For inspecting S. P. meats, for the first five tierces, one (1) dollar per tierce, and for each additional tierce, twenty-five (25) cents. For inspecting boxed meats, for the first five boxes, one (1) dollar per box, and for each additional box, fifty (50) cents. When the whole of a lot is inspected—labor and coopering to be furnished by the seller—for beef and pork, ten (10) cents per barrel. For S. P. meats, in lots of fifty (50) tierces or more, twelve and a half (12½) cents per tierce; in lots of one hundred (100) tierces or more, ten (10) cents per tierce. For bulk or boxed meats, in car-load lots or more, fifteen (15) cents per one thousand (1,000) pounds. For lard, in lots of one hundred (100) tierces or more, four (4) cents per tierce. For tallow and grease, five (5) cents per tierce. The fees for weighing, not including breaking down and repiling, are established as follows: Lard and grease, in lots of one hundred (100) packages or more, four (4) cents per package. Tallow, in half hogsheads, or smaller packages, five (5) cents per package; in hogsheads, ten (10) cents each. Bulk meats, not including labor, ten (10) cents per one thousand (1,000) pounds. For stripping lard or grease, at regular warehouses, not less than five (5) packages, fifty (50) cents per package. For the labor of breaking down and repiling, the inspector shall be paid three (3) cents per package, the same to be paid to the warehouseman if repiled, or to the party shipping the property if shipped without repiling.

REG. 5. It shall be the duty of the inspector, when requested by the owner, either at any packing-house, warehouse, or in yards provided by the inspector, to overhaul and inspect provisions, according to the qualifications and classifications authorized; two hundred pounds of meat, with abundance of good salt, to be repacked into each barrel, and cooperage to be put into good order; each barrel of provisions that is sound, sweet, and free from any and every defect, to have grade and date of inspection branded thereon, and the word "Repacked," as hereinafter specified; and any portion that is defective to be branded, in like manner, rusty, sour, or tainted, as the case may be; the said brand to be placed with the inspector's brand across the regular packer's brand; such provisions, according to the grade or quality, to be classed as "Repacked 200 lbs."

REG. 6. The inspectors shall use metallic letters and figures, marking-iron or stencil for their dates and class of inspection.

REG. 7. It shall also be the duty of the inspector to put his metallic brand, marking-iron or stencil on all samples of provisions in tierces or barrels that he inspects; and he shall pass no hog products in tierces or barrels, as standard, unless the real packer's name, location, number of pieces, date, and weight of the products contained therein are branded, according to these rules, on the head of every package.

REG. 8. Should the inspector be called upon to inspect pickled meats, and upon examination he should be of the opinion that the number of pounds required by these rules had not been originally packed, he shall not pass them as standard, but shall refer the matter at once to the committee on provision inspection, who shall investigate, and if a satisfactory explanation can be given or arrived at, they shall instruct the inspector to proceed and inspect and pass them; but if not satisfactory to the committee they shall, in their judgment, make the fact known to the association in any way they may think most proper.

REG. 9. Contents of each package of pickled meats must show a reasonable uniformity in weight, according to its class.

REG. 10. It shall be the further duty of the inspectors, during the packing season, to visit frequently the different packing-houses to see that provisions are properly dated and branded at time of being packed.

REG. 11. Dry salted rough sides may be made into short rib or short clear sides, and dry salted short rib sides may be made into short clear sides, if, in all other respects, they are up to the requirements, and shall be classed as standard.

REG. 12 All the foregoing regulations, and the requirements as to the cut and packing of hog products, must be justly and liberally construed, and no property shall be rejected or condemned on mere technicalities; but this shall not be regarded as giving license to departure from their general spirit and intent.

The rules adopted by the Cincinnati Chamber of Commerce for governing the provision trade, including inspection, dated August 1, 1882, are as follows:

Rules for the government of the provision trade.

RULE 1. The committee on provision inspection shall act as referees in all cases of complaints against inspectors, or the inspection of any lot of provisions, or any matters of business pertaining to the same; but the buyer shall, in all case, have the right to designate his own inspector; but in case the seller feels that injustice is being done, he shall have the right to call upon the committee of inspection, whose decision shall

be final and binding. Any inspector agreed upon by parties to a transaction shall be regarded as a regularly authorized inspector subject to the rules of the chamber, and the committee on provisions shall constitute the committee of reference.

RULE 2. All appeals from inspection must be made before the property leaves the city, packing point, or place of delivery.

RULE 3. Pork products packed between November 1st and March 1st shall alone be classed as "standard."

RULE 4. In sales of fully cured meats, or to be fully cured and delivered at a specified time, the seller must deliver in good faith according to contract, the inspector to be the judge, who shall always be fully informed of the conditions of the contract before proceeding to inspect. Where sales of dry salted meats are made without other specifications, it shall be considered that the sales contemplate meats fully cured, the inspector to be the judge.

RULE 5. In case of no specific agreement, the saltage allowed on bulk meats shall be one (1) per cent. from the 1st of November to the 1st of May; but should the buyer or seller object, the inspecter shall sweep as many drafts as he considers necessary, and the percentage thus obtained shall be binding on both parties. But from the 1st of May to the 1st of November, the tare shall be ascertained by washing in cold water with a cloth, in case of no special agreement to the contrary. A drainage of one (1) per cent. shall be allowed on pickled hams and shoulders.

RULE 6. To determine the tare on lard, the package shall first be weighed gross, the lard then removed, and the empty package subjected to dry heat and drained; after which the empty package shall be weighed, and its weight deducted from the gross weight. The difference thus obtained shall be considered the net weight of the lard.

RULE 7. Three hundred and twenty pounds, net, shall be the average weight of a tierce of lard, upon which all settlements with contractors shall be based; but the number of packages the contract calls for must be delivered, and the difference, if any, settled at the market price on the day of delivery.

RULE 8. Four hundred to four hundred and fifty pounds, net, shall constitute a box of Cumberland middles, and four hundred and seventy-five to five hundred and twenty-five pounds, net, shall constitute a box of all other English cuts of middles, shoulders, and hams, and all boxes containing over five hundred pounds of meat to have a third strap around the box. All settlements of contracts shall be made on a basis of four hundred and twenty-five pounds per box, net, for Cumberland cut, and five hundred pounds per box, net, for all other English cuts of meats.

RULE 9. If, on inspection of a fair sample of bulk meats, twenty (20) per cent., or over, is found to be sour, the buyer shall not be required to take the lot.

RULE 10. All the foregoing rules must be justly and liberally construed, and no property shall be rejected or condemned on a mere technicality.

RULE 11. The committee on provisions shall not have power of arbitration, but shall be empowered to consider all cases in reference to quality of meats, cooperage, etc., and parties refusing to abide the decision of the committee, while acting in their line of duty, shall be liable to arraignment for unmercantile conduct.

*RULE 12. In case of no specific agreement, contracts for 100 barrels of pork, 100 tierces of lard, 100 boxes dry salted meats, or for a larger amount, deliveries can be made on seller's option or called for on buyer's option, in lots of not less than 100 packages, as named above, nor less than 100 packages of one brand.

Contracts for 50 hogsheads, or 50 half-hogsheads, of bacon or dry salted meats, or more, deliveries can be made on seller's option, or called for on buyer's option in quantities of not less than 50 hogsheads or 50 half-hogsheads, and not less than this quantity of one brand.

Contracts for 100,000 pounds of bacon or dry salted meats, loose, or for a larger amount, deliveries can be made on seller's option, or called for on buyer's option, in quantities of not less than 100,000 pounds.

Contracts for 100 tierces of hams, or shoulders in pickle, smoked or canvassed, or for a larger amount, deliveries can be made on seller's option, or called for on buyer's option, in lots of not less than 50 tierces, nor less than 50 tierces of one brand.

Payment to be made as lots are delivered.

RULE 13. It shall be the duty of the inspector of provisions to weigh stuff when called upon, receiving therefor a fee of five (5) cents per each one thousand (1,000) pounds, in addition to the inspection fee—the party ordering the weighing to be responsible for the fee.

RULE 14. The inspector shall keep a record, in detail, of every examination he may make, that he may be qualified to testify positively in event of a dispute.

RULE 15. For the examination of provisions sold as "regular," it shall be the duty of the inspector (or his deputed assistants), on receiving notice, to go to any packing house or warehouse in the city to examine provisions in such quantities as may be required, selecting the same in such manner, from the lots specified, as in his judgment will give a fair sample of the whole.

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* As amended September 27, 1875.

RULE 16. If upon examination it is found in all respects up to the requirements, according to the classification or grades adopted by the chamber of commerce, he shall issue certificates to that effect.

When necessary to remove property for the convenience of examination, it shall be the duty of the inspector to send for the same, that a fair sample may be obtained.

In no case should a certificate be granted on samples delivered by the seller.

RULE 17. The inspector shall be entitled to receive as compensation for examining provisions, as follows: For beef and pork, in barrels, five dollars for the first five barrels, the inspector furnishing labor and other requirements, and seeing that the property is properly repacked and rebrined, and fifty cents for each additional barrel examined—payable by the buyer if regular, and by the seller if rejected, and cartage when removed; and for bulk, bacon, or boxed meats, fifteen cents per one thousand pounds, payable by the buyer. For inspecting lard, five cents per package, payable by the buyer if accepted, or by the seller if rejected; and for stripping lard, one dollar per package, to be paid by the buyer. Five barrels of pork or five tierces of lard to be sufficient to sample any lot sold, unless otherwise agreed between buyer and seller.

RULE 18. It shall be the duty of the inspector, when requested by the owner, either at any packing-house, warehouse, or in yards provided by the inspector, to overhaul and inspect provisions according to the qualifications and classifications authorized; two hundred pounds of meat, with abundance of good salt, to be repacked in each barrel, and cooperage to be put in good order. Each barrel of provisions that is sound, sweet, and free from any and every defect, to have grade and date of inspection branded thereon, and the word "repacked," as hereinafter specified; and any portion that is defective, to be branded in like manner "rusty," "sour," or "tainted," as the case may be; the said brand to be placed, with the inspector's brand, across the regular packer's brand, such pork, according to the grade or quality, to be classed as "repacked, 200 pounds."

RULE 19. The inspector shall use metallic letters and figures or marking-iron for his dates and classes of inspection.

RULE 20. It shall also be the duty of the inspector to put his metallic brand or marking-iron on samples of provisions in packages that he inspects; and he shall pass no pork products as "regular" unless the real packer's name of the product contained therein is branded, according to these rules, on the head of each package.

RULE 21. In all cases of sales of provisions as "regular," the inspector shall examine and inspect when called on; and if the property be up to the requirements, he shall issue a certificate simply for so many barrels or packages of product (naming it), for so many pieces or pounds of meat (naming the kinds).

RULE 22. Should the inspector be called on to inspect pickled meats, and upon examination he should be of the opinion that the number of pounds required by these rules had not been packed, he shall not pass it as "regular," but shall refer it at once to the inspection committee, who shall investigate, and if a satisfactory explanation can be given or arrived at, they shall instruct the inspector to proceed and inspect and pass it; but if not satisfactory to the committee, they shall, in their judgment, make the fact known to the provision trade in any way they may think proper.

RULE 23. All "hog products," to be "regular," must be from corn-fed slaughtered hogs, not frozen before cutting, and shall average not less than 14 pounds for shoulders, or 30 pounds for sides, and must run at least 80 per cent. sweet.

No hogs shall be killed on the same day on which they arrive at the pens of the slaughter-house.

RULE 24. Where meat is in store it shall be weighed and inspected in store; where meat arrives by river, rail, or canal, it shall be inspected and weighed at house of buyer.

RULE 25. All bacon uncanvased, bulk meats packed between March 1st and November 1st, shall be in fly-tight cooperage.

RULE 26. In all sales of provisions for future delivery either party may call for a margin at any time, unless it is expressly understood between the parties at the time the contract is entered into that such call can not be made. In the absence of special contract either party shall be entitled to a margin equal to ten (10) per cent. of the market value of the article contracted to be delivered, the same to be kept good; twenty-four (24) hours' notice in writing to residents and forty-eight (48) hours' notice in writing or by telegraph to non-residents shall be given on a call for a margin, and where a party fails to respond to such call within the said time the property may be sold at public auction on the floor of the Merchants' Exchange during 'Change hours on the following day "for account of whom it may concern."

RULE 27.* In settlement of contracts (unless otherwise specified) the following weights shall govern:

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*As amended September 27, 1875.

	Pounds.
Dry salted meats or bacon:	
Packed in hogsheads—	
Shoulders	1,000
Rib sides	900
Clear rib sides	950
Clear sides	1,000
Packed in half hogsheads—	
Shoulders	550
Rib sides	500
Clear rib sides	550
Clear sides	575
Hams or shoulders:	
Smoked and canvased, packed in tierces	340
In pickle, packed in tierces (green weight)	300

RULE 28. All barreled provisions offered for sale as "regular" in this market must be cut, selected, and packed in all respects as to quality and condition equal to the classification of inspection as adopted by the chamber of commerce.

RULE 29. Unless otherwise stipulated, in all sales made of any of the grades of provisions represented as "regular," the seller shall be bound to fulfill his sale by the delivery of the quality called for by such sale, and which on examination by the inspector has been certified by him to have been packed according to the classification, and is at the time of delivery in good merchantable condition in every respect.

Provisions from which any surplus gain has been removed can not be classed as "regular."

RULE 30. All provisions sold in this market, in the absence of special agreement, shall be deemed "regular," and the property must comply with the requirements of the rules of inspection of the board. All provisions sent to this market for sale which are, in all respects, in conformity with these rules, shall be classed as "regular."

RULE 31. No original weight shall be taken out of any package of provisions without removing the original packer's brand *entirely* from the head of the package, and the brand "repacked" burned in the head distinctly.

RULE 32. In all cases product should be sold "regular," but in case a particular brand is sold, and upon examination the product will not inspect "regular," the buyer shall elect to take another brand, or the difference in value of the special brand shall be settled between the buyer and seller.

RULE 33.* On sales of provisions for future delivery, on buyer's option, if the buyer call before the expiration of the month of contract, the seller, if he so elect, shall in case of barreled meats and lard in tierces have two working days' notice, and for boxed meats, pickeled or smoked hams, and shoulders in tierces, or dry salted meats four working days to prepare property for delivery; and when at the option of seller, the seller tenders before the expiration of the month of contract, the buyer, if he so elect, shall have the same time to prepare for receiving the same.

RULE 34. Buyers of provisions on time contracts shall have the right to inspect before the day of delivery, provided they send an inspector in time to allow the inspection to be completed before the expiration of the contract; but failing to do so the seller shall have the privilege of having the property inspected, the cost to be paid by the buyer.

RULE 35.† Where the buyer of provisions fails to avail himself of the privilege of inspection, in the absence of any special agreement upon the part of the seller to guarantee his product, the liability of the seller shall, as to quality, saltage, and weights, cease when the product shall have left his house.

The rules for inspection of provisions adopted by the Saint Louis Chamber of Commerce are as follows:

RULE XII.

INSPECTION AND DELIVERY OF PROVISIONS.

SECTION 1. The board of directors shall appoint inspectors of provisions, not to exceed three, upon the written application or indorsement of not less than five regular dealers in beef or hog product, either on their own account or on commission, members of the exchange, who shall be authorized, when called upon, to inspect in person or by assistants, and report the actual condition of the property inspected. The inspectors may appoint competent asssitants, said assistants in all cases to be approved

*Adopted February 8, 1877.
†Adopted September 27, 1875.

by the board of directors, but the certificate of inspection must be signed by an appointed inspector, though the inspection was made by an assistant under his direction, and the inspector signing shall be accountable to the same extent as if the property had been actually inspected by himself. Each inspector shall give bond for the faithful performance of his duty as indicated by the rules of the exchange, or by order of the board of directors, which bond shall be satisfactory to the board of directors and their successors, and approved by them before he shall enter upon his duties, for the use and benefit of any person or persons who may be aggrieved or injured on account of his official acts. Inspectors shall receive for their services the fees for inspection as established and fixed by the board of directors. The board shall also appoint five members of the exhange as a committee on provision inspection, who shall act as referees in all cases of complaint against inspectors for the inspection of any lot of provisions, or any matters of business pertaining to said inspection. The buyer, however, shall in all cases have the right to select his own inspector from the inspectors appointed by the board of directors; but in case the seller feels that injustice is being done, he shall have the right to call upon the committee on inspection, whose decision shall be final and binding. In the absence of such committee, arbitrators may be substituted. Buyers of provisions shall have the right to inspect before the day of delivery, provided they send an inspector in time to allow the inspection to be completed before the expiration of the contract; but, failing to do so, the seller shall have the privilege of having the property inspected by an inspector appointed by the board of directors, the cost to be paid by the buyer. All appeals from inspection must be made before the property leaves the city, packing point, or place of delivery. The committee shall be allowed one dollar each for every case decided by them, to be paid by the parties in default.

SEC. 2. The inspector shall keep a record, in detail, of every examination he may make, that he may be qualified to testify positively in the event of a dispute.

SEC. 3. In case of no specific agreement, the saltage allowed on bulk meats shall be (1 per ct.) one per cent. from the first of November to the first of May; but, should the buyer or seller object, the inspector shall sweep as many drafts as he may consider necessary, and the percentage thus ascertained shall be binding on both parties; but from the first of May to the first of November the tare shall be ascertained by washing in cold water with a cloth, in cases of no special agreement to the contrary. A drainage of (1 per ct.) one per cent. shall be allowed on pickled hams, shoulders, and mess pork, and they shall be free from salt.

SEC. 4. To determine the tare on lard, the package shall first be weighed gross, the lard then removed, and the empty package subjected to dry heat and drained, after which the empty package shall be weighed, and its weight deducted from the gross weight; the difference thus obtained shall be considered the net weight of the lard.

SEC. 5. Three hundred and twenty pounds, net, shall be the average weight of a tierce of lard, upon which all settlements on contracts shall be based; but the number of packages the contract calls for must be delivered, and the difference, if any, settled at the market price on the day of delivery.

SEC. 6. Pickled hams and shoulders shall be sized when packed, the light, medium, and heavy separately, as near as practicable. Number of pieces and green weight, packer's name and location and date of packing, shall be branded on the head of each package, the date to be branded with metallic letters, marking-iron, or stencil at time of packing.

SEC. 7. In English meats the pieces shall be classified, and the light, medium, and heavy packed separately, as nearly as practicable, in boxes made to fit the different sizes. Four hundred to four hundred and fifty pounds, net, shall constitute a box of Cumberland middles; four hundred and seventy-five to five hundred and twenty-five pounds, net, shall constitute a box of all other English cuts of middles, shoulders, and hams; and all boxes containing over four hundred and fifty pounds of meat to have a third strap around the box. All settlements of contracts shall be made on a basis of four hundred and twenty-five pounds per box, net, for Cumberland cuts, and five hundred pounds per box, net, for all other English meats.

SEC. 8. If on inspection of a fair sample of bulk meats twenty (20) per cent. or over is found to be sour, the buyer shall not be required to take the lot.

SEC. 9. Dry salted rough sides may be made into short ribs or short clear sides, and dry salted short rib sides may be made into short clear sides, if in all other respects they are up to the requirements, and shall be classed as standard.

SEC. 10. On all contracts for boxed meats, it shall be understood that the meat may not he fully cured, but shall have been from fifteen to twenty days in salt before boxing.

SEC. 11. On all contracts or sales of barreled pork, not less than fifty barrels of one brand shall be delivered.

SEC. 12 If, in the opinion of the inspector, one hundred and ninety pounds of green meat shall have been packed in a barrel of pork, then it shall be classed as standard, and should there be sufficient overweight to cover any irregularity of packing, then in that case it should also be passed as standard.

SEC. 13. In no case should a duplicate inspection certificate be issued by the inspector, except on sufficient evidence of the loss of the original.

SEC. 14. On all deliveries on contracts for bulk meats and pickled meats other than barreled pork, the inspection certificate shall hold good for five days, and on barreled pork for ten days.

SEC. 15. Pork product, to be standard and delivered on contracts, must be sound, fully cured, and cut, as is required by the rules of the exchange. Barreled pork, to be standard, must be packed between the first of November and the first of March, and barreled pork and hams in pickle shall not be standard or deliverable on contracts after the first day of January following the packing season in which they are made. Repacked pork shall not be classed as standard or deliverable on contracts; but this shall not apply to pork examined and repacked by an authorized inspector for the purpose of passing upon the condition thereof. No certificate of beef or hog product shall be recognized as regular unless it is signed by an inspector appointed by the board of directors.

SEC. 16. In case property does not pass inspection, the fees shall be paid by the seller. No original weight shall be taken out of any barrel or tierce of provisions without the inspector's removing the original packer's brand entirely from the head of the package.

SEC. 17. All deliveries of beef or hog products sold for future delivery, in the absence of special agreement, shall be by the delivery of warehouse receipts, issued from such warehouses or places only as shall have been declared a regular warehouse, or other place, for the storage of such property under the rules of the Merchants' Exchange by the board of directors. Such places of storage, in all cases, shall be suitable for the preservation of the property, and all deliveries shall be accompanied by the certificate of inspection of an inspector of provisions, appointed by the board of directors, which inspection shall conform to the rules of the Merchants' Exchange governing such property. Any person or persons, or corporation, desiring to have their warehouse or places declared regular, shall make application therefor to the board of directors, stating his or their location, insurance, facilities for shipping, and shall furnish such other information as may be required by the board of directors, and shall also give a good and sufficient bond in such sum as the board of directors may require, that property placed in his or their or its care shall have the necessary attention for its preservation. Any place declared and designated as regular may, for good and sufficient reasons, satisfactory to the board of directors, be declared by said board no longer a regular warehouse for the storage of provisions, under the rules of the exchange, provided, however, that property already in store in such warehouses shall continue to be regular on delivery so long as it remains in such warehouse.

The meat rejected by the above inspection is selected according to its condition; the worst quality, including all that may be unfit for food, is consigned to the offal tank, and the remainder sold on its merits, usually going to the markets of the South and the West Indies.

LARD.

There are a number of grades of lard made at packing establishments: 1. Choice lard made from leaf and trimmings, which may be either kettle or steam rendered, and has the method of rendering stamped on the packages. 2. Prime steam lard from the hog "round," which includes nearly everything from the hog not mentioned in No. 1, but should contain no salted trimmings. 3. "Off grade" lard from salted trimmings.

OFFAL.

In the offal is included the blood, hair, head, feet, heart, lungs, liver, kidneys, stomach, and intestines. The blood is boiled until coagulated, it is then pressed for the grease, ground, dried, and sold for fertilizers, the price of this being regulated by the per cent. of ammonia. The hair is sold to curlers. The tongues are pickled. The cheek meat is made into "brawn" or sausage. The head, heart, lungs, kidneys, liver, stomach, and such of the intestines as are not used for sausage casings are tanked for grease. The residue from tanks is dried for fertilizer. The feet are made into glue or pickled.

In addition to the general statements received from numerous packers in the country, a large amount of specific information was received from Messrs. Armour & Co., of Chicago, probably the most extensive packing house in the world.

The correspondence and the questions and replies are here inserted in full.

CHICAGO, *January* 22, 1884.

E. W. BLATCHFORD, Esq., *Chicago, Ill.:*

DEAR SIR: We are in receipt of your favor of yesterday with its inclosures, all of which have full consideration. We take pleasure in complying with your request and beg to hand you with this our answers to your various inquiries; we have endeavored to make them as explicit and comprehensive as possible, for we fully appreciate their importance; and if you should desire further information in connection with this matter, please be assured that our services are at your command.

Very respectfully, etc.,

ARMOUR & CO.

The following are the questions and answers:

Q. 1. Where and how are the hogs purchased?—A. At the stock-yards, from shippers and drovers, by careful, experienced men.

Q. 2. How do you buy your hogs?—A. Through our own buyers in the yards, whose instructions are positive concerning quality and condition, and to make careful selections.

Q. 3. In selecting hogs what do you reject?—A. They are told to reject everything objectionable.

Q. 4. Diseased animals?—A. Yes; invariably.

Q. 5. Bruised animals?—A. Yes, they are useless for our purposes.

Q. 6. Ruptured animals?—A. Yes; we avoid them.

Q. 7. Still-fed animals?—A. Yes, wherever it can be discovered.

Q. 8. Pregnant sows?—A. Yes, if too far advanced.

Q. 9. Stags?—A. Yes, unless at reduced valuation, and for special uses and markets here.

Q. 10. Crippled?—A. Yes, they are always avoided.

Q. 11. Are hogs usually rejected for these reasons?—A. Yes, for packing purposes.

Q. 12. If not rejected what do you do with them?—A. They are usually put into the offal tanks.

Q. 13. Is it not customary to buy hogs from the general appearance, weight, and evenness of a lot?—A. Yes, frequently.

Q. 14. What is done with rejected hogs?—A. They are either resold or put into the offal tanks.

Q. 15. How long are the hogs kept in your pens before slaughtering?—A. About twenty-four hours.

Q. 16. Why are they kept this length of time?—A. To cool off and to improve their condition.

Q. 17. How do you care for them in your pens?—A. Give them plenty of fresh water and corn.

Q. 18. How are these pens constructed?—A. They are covered and have wooden floors.

Q. 19. Do any die in the pens?—A. Occasionally, but they are closely watched.

Q. 20. If so, how many, and from what cause?—A. The number is insignificant; the cause is smothering.

Q. 21. What is done with the dead hogs?—A. They are put into the offal tanks invariably.

Q. 22. How are the hogs prepared for slaughtering?—A. By being rested, watered, and fed.

Q. 23. Is the condition of the hogs at all observed or considered before slaughtering?—A. It is, always.

Q. 24. How is the proper condition of the hog assured at time of slaughter?—A. By examination and general appearance.

Q. 25. How are the hogs taken from the pens to the slaughtering-room?—A. They are driven a short distance.

Q. 26. If hogs are unable to be driven to the slaughtering-room, what is done with them?—A. Unless healthy and in good order they are killed and put into the offal tank.

Q. 27. What mode of slaughter do you adopt?—A. They are bled to death by cutting the main arteries in the throat.

Q. 28. What time is allowed the hog to bleed?—A. Until he is dead.

Q. 29. Is an examination made whether life is extinct before scalding?—A. Yes.

Q. 30. What is done with the carcass when coming out of the scalding tub?—A. It is scraped; the entrails are removed, and it is sent to the cooling room.

TREATMENT OF CARCASS OF HOG AFTER SLAUGHTER.

Q. 31. What time is allowed the carcass to cool before cutting up?—A. From thirty-six to forty-eight hours.

Q. 32. Is the carcass thoroughly cooled before going to the cutting bench?—A. Yes; thoroughly.

Q. 33. Is this rule strictly carried out?—A. Yes; very carefully.

Q. 34. Why is the thorough cooling of the carcass important before cutting up and commencing to cure?—A. In order to remove all animal heat, and to prevent souring.

Q. 35. Is there any inspection made to ascertain that it is thoroughly cooled?—A. Yes.

Q. 36. What is your rule for cutting?—A. After hanging for forty-eight hours.

Q. 37. Is inspection of meat had at time of cutting up, and for what?—A. Yes; to detect all objectionable pieces.

Q. 38. Is such inspection sufficiently thorough to detect disease or bruises?—A. Yes; entirely so.

Q. 39. After cutting up the carcass how are the parts treated to effect a cure?—A. Well salted, and covered with brine.

Q. 40. How are they piled to secure thorough curing?—A. In cold cellars.

Q. 41. What is the temperature of the room?—A. About 35° Fahrenheit.

Q. 42. What time is required for curing?—A. About forty to sixty days.

Q. 43. Is meat ever shipped before being fully cured?—A. Very seldom.

Q. 44. Is it desirable to perfect the curing of the meat in as short a time as possible?—A. We think not.

Q. 45. Is not the curing of the meat often forced for the purpose of making it saleable and deliverable in as short a time as possible?—A. We think not.

Q. 46. Do you ascertain by inspection the soundness of your cured meat?—A. We do always.

Q. 47. To what causes do you attribute unsound or "sour" meat?—A. Negligence in curing, and careless handling, and cutting before the cooling is completed.

Q. 48. Do you attribute it to a diseased carcass?—A. No, not necessarily.

Q. 49. Do you attribute it to a faulty treatment?—A. Yes, usually.

Q. 50. Do you attribute it to a want of care?—A. Yes, generally.

Q. 51. What quantity of "sour" meat do you have?—A. It is infinitesimal.

Q. 52. What is done with it?—A. It is put into the offal tanks, or sold on its merits to home markets.

Q. 53. What, if any, changes in modes of curing are adopted for meats destined to markets in different climates?—A. No changes; but careful selections.

Q. 54. Can as reliable results of curing be had in summer as in winter?—A. Yes, with proper care and ice facilities.

Q. 55. What kind or kinds of salt are used?—A. Both foreign and domestic, coarse and fine.

Q. 56. How do you give this or that kind preference?—A. Coarse for pickling; fine for dry salting.

Q. 57. How is meat packed for shipment?—A. In boxes, sprinkled with salt, and also in brine.

Q. 58. What is the quality of the packages used?—A. Pine boxes and oak barrels and tierces.

Q. 59. What is the size of packages?—A. Boxes hold about 500 pounds; barrels, 200 pounds; tierces, 300 pounds.

Q. 60. Is any salt put in?—A. Yes.

Q. 61. How much to each box of meat?—A. About 50 pounds.

Q. 62. What is the rule?—A. No special rule; the custom is from 40 to 50 pounds.

Q. 63. Is this rule strictly adhered to?—A. We think it is.

Q. 64. Is not less salt used than the rule calls for to save expense?—A. We think not.

Q. 65. What is the character of the salt used?—A. Fine salt.

Q. 66. Is any care taken that the salt be clean?—A. Yes.

Q. 67. What is your rule for cutting mess pork?—A. From well fatted hogs; uniform strips, according to board of trade rules.

Q. 68. How many pieces in each barrel?—A. About sixteen pieces.

Q. 69. What is the weight of meat in each barrel?—A. 190 pounds packed in winter, and 200 pounds packed in summer.

Q. 70. What kind of salt is used?—A. Coarse salt.

Q. 71. What quantity of salt is used?—A. About 30 pounds of coarse salt, and the barrel filled with brine.

Q. 72. How is the quality of the salt tested?—A. By analysis, and the use of the salometer.

Q. 73. Where is the mess pork stored?—A. Generally in cool cellars.

Q. 74. What are the regulations regarding its storage?—A. That it shall be in warehouse well located.

Q. 75. What is the temperature of the warehouse?—A. Generally about 40° or 50° Fahrenheit.

Q. 76. What examinations are made as to its condition from time to time?—A. Packages unrolled to ascertain about the pickle, occasionally opened, and cooperage also examined.

Q. 77. What numbers of hogs do you kill annually?—A. About one million in our Chicago house.

Q. 78. What is their average weight?—A. From 260 to 280 pounds live weight.

Q. 79. What parts of the hog do you use for lard?—A. Leaf and trimmings.

Q. 80. What do you include as offal?—A. Portions of the entrails and general refuse.

Q. 81. What is done with the head?—A. The meat is made into head-cheese and the balance is put into the offal tanks.

Q. 82. What is done with the feet?—A. Some are thrown into the offal tank, others are cooked and pickled.

Q. 83. What is done with the entrails?—A. Some are cleaned for sausage casings and the balance thrown into the offal tank.

Q. 84. What is done with the heart, liver, and lights?—A. Some are used for sausages and the balance thrown into the offal tank.

Q. 85. What is done with the blood?—A. It is dried and used as a fertilizer.

Q. 86. What is done with the refuse from tanks?—A. It is dried and made into fertilizers.

Q. 87. Is all meat inspected before being shipped?—A. Yes, as a rule.

Q. 88. By whom?—A. By the board of trade and other inspectors and by our selves.

Q. 89. Under what authority?—A. Of the board of trade and mutual agreement.

Q. 90. Is meat ever packed and shipped without being inspected?—A. No, except by possible oversight.

Q. 91. Under what circumstances?—A. By mistake or oversight.

Q. 92. Do you ever guaranty inspection?—A. Yes, sir.

Q. 93. If so, under what circumstances and to what extent?—A. When buyers have our confidence and rejections can be returned.

Q. 94. What course does the inspector take in examining meat?—A. He goes in person, or by deputy, by mutual consent and arrangement of buyers and sellers.

Q. 95. Does he examine each piece?—A. Yes.

Q. 96. What tests are made?—A. He uses a "tryer," made for this purpose.

Q. 97. For fully or properly cured?—A. Yes, both.

Q. 98. For stags?- A. Yes.

Q. 99. For piggy sows?—A. Yes.

Q. 100. For sour meat?—A. Yes.

Q. 101. For bruised meat?—A. Yes.

Q. 102. For what causes is meat rejected?—A. For the above; also for irregular cuts and for imperfect cure.

Q. 103. What is done with meat rejected by the inspector?—A. It is selected, sold on its merits to home markets, or put into offal tanks, according to its condition.

Q. 104. What do you say to inspection?- A. We respectfully suggest that a Government inspection of exported (or other) meats would no doubt meet with general approval, and it could doubtless be harmonized or merged into the present authorized systems in each important market.

Similar questions were addressed to the leading packing houses in Baltimore, Philadelphia, Jersey City, New York, Boston, West Albany, and Buffalo. The answers in all cases were essentially the same as those received from Armour & Co., of Chicago.

PURCHASE AND SALE OF HOG PRODUCTS.

The ordinary course of purchase and sale of hog products is as follows:

When a purchase of these products is made of a packing firm, an order is issued in favor of the buyer for the number of packages or pieces of meat sold; also an order to permit the buyer's inspector to make a satisfactory inspection of the meats. The purchaser hands the order for the meats to the agent of the railroad company, and the order for inspection to his inspector or the regularly authorized inspector, as he

sees fit, giving to each such instructions as will best carry out the terms of his purchase.

The rules and regulations for the purchase and sale of provisions and their inspection adopted by the St. Louis Chamber of Commerce, of December 18, 1883, are as follows:

SEC. 14. All provisions offered for sale as "standard" in this market must be cut, selected, and packed in all respects as to quality and condition equal to the standards established by the board of directors, and the seller shall be bound to fulfill his sale by the delivery of the quality called for by such sale, which, on examination by the authorized inspector, has been certified by him to have been packed according to the established classification, and is at the time of delivery in good merchantable condition in every respect. Provisions from which any surplus gain has been removed can not afterwards be classed as "standard."

SEC. 15. In sales as standard of a particular packer's brand or cut, if the property does not pass inspection the buyer shall elect either to take the lot tendered at contract price or require that some other brand or cut be substituted therefor·that will pass inspection, or to receive the difference in value between the property tendered and such as called for by the contract; and such election shall be binding upon, and be carried out by, both parties as a settlement of the contract.

SEC. 16. In all cases of sales of provisions as "standard" the inspector shall examine and inspect, when called upon, and shall decide if the property be up to the requirements; and he shall issue his certificate, stating correctly the condition and quality of the property inspected and specify the defects, if any exist therein.

SEC. 17. In sales of fully cured meats, or to be fully cured and delivered at a specified time, the seller must deliver in good faith, according to contract, the inspector to be the judge, who shall always be fully informed of the conditions of the contract before proceeding to inspect. Where sales of dry salted meats are made without other specifications it shall be considered that the sales contemplate meats fully cured, the inspector to be the judge.

SEC. 18. On sale of provisions for future delivery, "at buyer's option," if buyer calls before expiration of contract, the seller, if he so elect, shall have at least five working days to prepare property for delivery, in the case of bacon and bulk meats. Purchasers of provisions shall have three days free of storage to remove property when in store.

The rules of the Chicago Board of Trade governing the purchase and sale of hog products and their inspection, adopted September 1, 1883:

RULE XXV.

PROVISIONS.

SECTION 1. The board of directors shall appoint five members of the association as a committee on provision inspection, who shall have and exercise a general control over the inspection of provisions, and shall act as referees in case of complaint against the chief inspector of provisions, or the inspection of any lot of provisions, or any matter of difference pertaining to the same; except as hereinafter provided. The committee shall be authorized, in determining the correctness of any inspection they are called upon to revise, to adopt any measures they may deem necessary under the circumstances for the ascertainment of its true character. The committee shall be entitled to fees amounting to $3 each for each case of appeal decided by them, to be paid by the party against whom the decision shall be made.

SEC. 2. The board of directors shall also appoint a suitable person as chief inspector of provisions, who shall be required to give a bond in such amount as may be prescribed by the board of directors, for the faithful performance of his duties as indicated by the rules of the board of trade or by order of the board of directors. Said bond shall be satisfactory to the board of directors and be approved by them before the said chief inspector shall be entitled to enter upon the discharge of his official duties. Said bond shall be made to the president of the board of trade and his successors in office, for the use and benefit of any parties having legal claims for damages against said chief inspector on account of any of his official acts.

SEC. 3. The chief inspector of provisions shall appoint, to be confirmed by the committee on provision inspection, a sufficient number of competent deputy inspectors, who shall be under his control and subject to his orders in all matters pertaining to the performance of official duty.

SEC. 4. The chief inspector, through and by his deputies, shall furnish the necessary labor and materials for inspection. The several deputy inspectors shall make a report in detail of every inspection or examination they may make, which report shall be returned to the chief inspector, and be by him preserved for future reference.

SEC. 5. The board of directors shall also appoint a competent person as registrar of provisions, whose duty it shall be to provide and cause to be kept suitable books in which shall be registered all warehouse receipts for beef and hog product issued as "regular" or for the "regular delivery" of such property in the Chicago market under the rules of the board of trade; such receipts, after being so registered, shall be stamped or written across their face with the word "registered," and the date of such registry, and signed, in writing, by the said registrar or some person duly authorized by him for that service. All warehouse receipts, before being registered, shall be plainly numbered, and shall indicate on their face the number or mark of the particular lot of property intended to be covered or represented by such receipt. All such receipts issued from or by each warehouse or other place of storage shall be consecutively numbered, and no receipts of duplicate numbers issued from the same place of storage shall be registered. All property covered or represented by registered warehouse receipts shall be plainly marked in such manner as will clearly distinguish it from all other property stored in the same warehouse or place of storage, and by such marks, numbers, or characters as may be approved by the registrar of provisions; such marks to be so arranged as to avoid the possibility of duplication or uncertainty as to the identity of the property so receipted for. No warehouse receipt shall be registered until a report shall have been received at the office of the registrar of provisions from a duly authorized deputy that the property represented by the receipt is actually in the place of storage and is marked as indicated in the receipt; such reports shall be in a form prescribed by the registrar, and shall be preserved by him for future reference. No second warehouse receipt for the same property shall be registered unless the original is presented at the time and its registration canceled by the registrar. In such case new receipts, either for the whole or parts of lots, or the consolidation of different lots, may be registered upon the report of a deputy that the property is in the place represented, and is marked as represented. All new receipts so registered shall bear the same date, as near as may be, with the originals so canceled, and no receipts differing in date more than thirty days shall be consolidated into a new receipt.

No property shall be removed from the place of storage indicated by any registered receipt issued to represent it until the registration of such receipt has first been canceled in the office of the registrar of provisions by writing or stamping across its face the words "registration canceled."

SEC. 6. The chief inspector shall receive for his services and for the compensation of the deputy inspectors employed by him, the fees for inspecting as established by the board of trade. The registrar shall receive, as compensation for his own services and the necessary expenses of his office, such sum, to be paid from the funds of the association, as may be determined by the board of directors.

SEC. 7. All claims for errors of inspection, or damages resulting from improper inspection, shall be made to the chief inspector, and in case of dispute as to the validity of any claim so made the question shall be decided by the committee on provision inspection, or by a special arbitration, if either of the parties so prefer. In the latter case the arbitrators shall be chosen either by mutual agreement, or an equal number, not exceeding two, may be selected each by the chief inspector and the claimant; and the persons so chosen shall select an additional arbitrator. Arbitrations, either by the committee on provision inspection or special arbitrators, shall be conducted under substantially the same form of proceedings as regular arbitrations under the rules of the board of trade, and shall be subject to all the provisions of regular arbitrations, except that they shall not be subject to appeal.

SEC. 8. All deliveries of beef or hog product in store, in the absence of special agreement, shall be by the delivery of registered warehouse receipts, issued from such warehouses or places only as shall have been declared a regular warehouse for the storage of such property, under the rules of the board of trade, by the board of directors; such places of storage, in all cases, to be under cover, and such as is suitable for the proper preservation of the property. All such deliveries shall be accompanied by a certificate of inspection of the chief inspector of provisions, which certificate shall state the number of packages or the number of pieces, together with their weight, in the lot to which it applies, the place where the same is stored, and the distinguishing marks upon it; also the number of packages or pieces examined, and that the same was found to be in good merchantable condition and of standard quality. In the case of barreled pork, the number of pieces and the weight in each barrel shall be stated; also the date of its packing as indicated by the packer's brand upon the packages. Such certificate shall be dated within five (5) days of such delivery; the required number of days shall include both the day of date and the day of delivery.

SEC. 9. No warehouse receipts for beef or hog product shall be registered except such as have been issued by or from a warehouse or place of storage declared to be a regular warehouse for the storage of such property by the board of directors of the board of trade; and before any warehouse or storage place shall be declared a regular warehouse for such property the proprietors thereof shall file a bond with the

board of trade for such an amount as may be deemed sufficient, and with sureties approved by the board of directors; such bond shall be made payable to the president of the board or his successors in office, for the use of any person or persons suffering damages by reason of the neglect of duty, fault, or fraud of the proprietor or manager of such warehouse, and such bond may be prosecuted in the name of the president of the board of trade, for the use and benefit of persons aggrieved or damaged by the acts of such warehouse proprietor or manager. All such bonds shall be conditioned upon the faithful and honest performance of his or their duties by the proprietor or manager of his or their warehouses, as defined by the laws of this State, or by the rules of the board of trade not inconsistent therewith.

RULE XXVI.

SALE OF PROVISIONS.

SECTION 1. All provisions sold in this market, in the absence of special agreement, shall be deemed standard, and the property delivered must comply with the requirements of the regulations of imspection established by the association. And all provisions sent to this market for sale, which, upon examination, shall be found to have been manufactured, handled, or packed, in all respects and to all appearances, in conformity with those rules, shall be classed as standard.

SEC. 2. All provisions sold as standard shall be cut, selected, and packed, in all respects as to quality and condition, conformably to the classification of inspection as adopted by the association; and, unless otherwise stipulated, on all sales made of any of the grades of provisions as standard, the seller shall deliver the parcels of the kind and quality called for by such sale, which any duly appointed inspector of the association has examined, and has certified to have been packed according to the classification, and is at the time of delivery in good merchantable condition in every respect; or, failing to so deliver, he shall be bound to settle his contract under the provisions of Rule XXIV of the association: *Provided*, That in all sales specified as for cash, the buyer shall not be bound to pay inspection fees unless he orders the inspection of the property.

SEC. 3. Lard, hams, or shoulders may be packed in tierces, either wood or iron bound, or bound partly with both. Provisions from which any gain has been removed shall not afterward be classed as standard.

"SEC. 4. All hog product to be classed as standard shall comply in all respects with the requirements of the rules of inspection adopted by the board of trade, and if delivered on or after January 1, shall include only such as has been packed on or after the first day of the previous November, and, in the case of barreled pork, shall include only such as has been packed between November 1 and March 1."

SEC. 5. No original weight shall be taken out of any package of provisions which is afterward to be offered for sale by the package, without removing the original packers' brand entirely from the head of the package, unless the property be repacked and *so branded* by the party repacking.

SEC. 6. Buyers of provisions on contracts, deliverable on the demand of the buyer within a specified time, shall have the right to inspect the same before the day of delivery, provided they send an inspector in time to allow the inspection to be completed before the proposed delivery; but failing to do so the seller shall have the privilege of having the property inspected, the cost to be paid by the buyer.

SEC. 7. On sales of provisions deliverable at the pleasure of the seller within a specified time the seller shall have the privilege of delivering, at any time during the life of the contract without previous notice to the purchaser, by the tender of a registered regular warehouse receipt, together with a certificate of inspection by an inspector of the association (such inspection having been made within the last five days), such a delivery shall be held to be regular, and the buyer shall receive and pay for the same together with the fees for inspection. If, however, within the next forty-eight (48) hours the buyer shall produce the certificate of the committee on provision inspection that the property so delivered is not standard, the seller shall immediately receive the property back, paying all accrued expenses, and substitute other property that is standard: *Provided*, That the evidence of the committee on provision inspection, as herein referred to, shall be furnished during the next forty-eight (48) hours, or as soon as said committee can report, they having been called for such examination, and the seller so notified, within the next twenty-four (24) hours. On sales deliverable on the demand of the buyer, if such demand be made, if the buyer calls before the expiration of contract, the seller, if he so elect, shall, in the case of pickled meats, have twenty-four (24) hours to prepare the property for delivery, and on bulk or boxed meats, four (4) working days.

SEC. 8. On sales of barreled meats or lard, if more than one brand is tendered, the purchaser shall be required to pay such inspection fees only as would be proper were it all of one brand.

SEC. 9. On sales of provisions as standard, or of a particular packer's brand, in case the property does not pass inspection, the buyer shall elect either to take the lot named at contract price, after being regularly inspected at cost of seller, or to require that some standard lot be substituted, but the buyer shall receive the one or the other if tendered within a reasonable time.

SEC. 10. In sales of fully cured meats, or to be fully cured and delivered at any specified time, the seller must deliver in good faith, according to contract; the inspector to be the judge, who shall always be informed of the conditions of the contract before proceeding to inspect. Where sales of dry salted meats are made without other specifications, it shall be considered that the sale contemplates meats fully cured; the inspector to be the judge.

SEC. 11. In sales of provisions, when an article is substituted or delivered inferior in quality to the sample exhibited, or which had been passed upon by the inspector as standard, the seller shall be responsible for any damage resulting from such exchange or substitution. All examinations or inspections are to be made within a reasonable time. and proper care of the property is to be taken by the owner or his agent.

SEC. 12. Joints cut from hogs that have been frozen shall not be classed as standard.

SEC. 13. In case of no specific agreement, the saltage allowed on bulk meats shall be 1 per cent.; but should the buyer or seller object, the inspector shall sweep as many drafts as he may consider necessary, and the percentage so determined shall be binding on both parties. But from June 1 to November 1 the tare shall be ascertained by washing in cold water with a cloth, in case of no specific agreement to the contrary. One per cent. for drainage shall be allowed on pickled meats.

SEC. 14. To determine the tare of lard, the package shall first be weighed gross, the lard then removed, and the empty package subjected to dry heat and drained, the empty package to be then weighed and its weight deducted from the gross weight. The difference so obtained shall be considered the net weight of the lard.

SEC. 15. In case lard in tierces be delivered of a weight more or less than 320 lbs. net per tierce, the shortage or excess shall be settled for at the current market price, but the full number of packages contracted for shall be delivered. In the settlement of contracts for lard, 320 lbs. net shall be taken as the average weight of a tierce.

SEC. 16. Provisions, if desired by the purchaser, must be delivered at cars or on teams, from packing-house or store, free of charge. All deliveries of provisions in store shall be free of storage to the buyer for five (5) days, or, if in packing-houses, for three (3) days, except when the first day of the month falls on Sunday or a holiday; in which case receipts shall be regular to the buyer, if free of storage, for four days, or, if in packing-house, two days from the time the seller signifies his readiness to deliver, and any extra expenses attending the examination of provisions are to be paid by the party ordering the same.

SEC. 17. The standard net weight of meats packed in boxes shall be between 450 and 525 pounds for each box, and in all settlements or deliveries of boxed meats an average of 500 pounds net per box shall be made the basis for settlement, and the excess or shortage from said average shall be settled at the market value of the property delivered at the time of its delivery. But in case of delivery the full number of packages contracted for must be delivered.

SEC. 18. Long clear sides shall not average less than forty-five (45) pounds; short clear sides shall not average less than forty (40) pounds; and short rib sides shall not average less than thirty (30) pounds, and dry salted shoulders shall not average less than twelve (12) pounds, to be standard and regular on delivery, either loose or boxed.

SEC. 19. On an examination by an inspector of dry salted meats, in bulk or for boxing, if over twenty (20) per cent. turns out rejected, he shall not be required to take the lot in that condition.

SEC. 20. A delivery of sweet pickled hams or shoulders shall be considered regular if they average not over two (2) pieces unsound per tierce, and a deduction of twenty-five (25) per cent. on the price shall be made on the unsound.

SHIPMENT OF HOG PRODUCTS TO SEA-BOARD.

The railroad agent having received the order for delivery, orders a sufficient number of cars sent to the packing-house or warehouse. When loaded a receipt is given by the proper officer of the railroad company in charge of the loading for the number of packages or pieces put on board. This receipt is attached to an invoice accompanied by a list of the individual weights and tares, and handed to the buyer. On this receipt a bill of lading in duplicate is issued, giving name of line or lines by which shipped, date of shipment, from whom received, marks or brands, destination, gross weight, and rate of freight per 100 pounds.

Shipments of bacon are usually made by all-rail routes to the sea-board; very seldom in any other way.

Pork and lard are shipped by lake steamers to Buffalo, and thence by canal to sea-board by rail.

Lard, and sometimes pork, is shipped in quite large quantities by lake steamers to Buffalo, and thence by canal to sea-board. This method, however, is of comparatively recent adoption.

The lard, when it reaches the canal, is placed on flat barges, or on the decks of canal-boats, covered with an awning, and, in warm weather, frequently sprinkled with water.

Experience shows that these products invariably reach the sea-board in excellent condition.

On arrival at sea-board, if intended for export, the products are held in the cars or on the boats, and the consignee, or the agent of the steamship line with which the contract has been made, is notified of their arrival. If a steamer is ready to receive the shipment, it is placed (if in cars) on board of lighters and towed to the steamer's side, or the dock, and loaded.

In case no steamer is ready, the property is sent to a warehouse to await the arrival of the next steamer. It is the custom in the trade with foreign markets to make sales upon a price that covers the cost, freight, and insurance to destination, and orders are usually made on this basis. It is also customary for buyers to state how and by what routes the goods are to be shipped.

As the re-imbursement to the seller for export depends on all the conditions being strictly adhered to, he is very careful to see that they are carried out; and no documentary exchange is complete unless the original and duplicate bills of lading and certificates of insurance and inspection accompany the draft.

The following are the usual forms of inland and foreign bills of lading:

INLAND.

[Form 100 H.]

(N) NATIONAL LINE.

(Through freight line, owned and operated by the Pennsylvania Company. All rail. Via C., St. L. and P. R. R. and Pan Handle route.)

[Cut.]	No. —.] CHICAGO, ILL., ——— —, 188–.
(N) Nat'l Line.	Received from——— ———, the following packages (contents and value unknown), in apparent good order, viz:
6,000.	
Marks.]	Marked and numbered as in the margin, to be transported by the National Line, and the steam-boats, railroad companies, and forwarding lines with which it connects, on the following term and conditions, viz:
	It being expressly understood and agreed that the National Line reserves the right, in consideration of issuing a through bill of lading, and guaranteeing a through rate to forward said goods by any railroad line between points of shipment and destination.
This bill of lading	It is further agreed that the rates given on bulk freight are given on the understanding that not less than 24,000 pounds will be loaded in each car, and that such minimum weight may, at the option of this line be charged for, whether that quantity is placed in the car or not.
from	It is further agreed that all weight in excess of 30,000 pounds per car will be charged double the rate named in this bill of lading.
Chicago, Ills.,	
to	
———.	

The rate of freight through

is to be

———per 100 pounds.

———per barrel.

It is further agreed that the said National Line, and the steam-boats, railroad companies, and forwarding lines with which it connects, and which receive said property, shall not be liable for leakage of oils or any kinds of liquids; breakage of any kind of glass, earthen or queensware, carboys of acids, or articles packed in glass, stoves and stove furniture, castings, machinery, carriages, furniture, musical instruments of any kind, packages of eggs, or for rust of iron and of iron articles, or for loss or damage by wet, dirt, fire, or loss of weight, or for condition of baling on hay, hemp, or cotton; nor for loss or damage of any kind on any article whose bulk requires it to be carried on open cars; nor for damage to perishable property of any kind, occasioned by delays from any cause or by change of weather; nor for loss or damage on any article of property whatever, by fire or other casuality, while in transit or while in depots or places of transshipment or at depots or landings at point of delivery; nor for loss or damage by fire, collision, or the dangers of navigation while on seas, rivers, lakes, or canals. All goods or property under this bill of lading will be subject, at its owner's cost, to necessary cooperage or bailing, and is to be transported to the depots of the companies or landings of the steamboats or forwarding lines, at the point receipted to, for delivery.

It is further agreed that unless this bill of lading, properly indorsed, be delivered to the agent of the National Line at destination, on or before the arrival there of the hereinabove described property, the said line is authorized to deliver the said property to the consignee, or to the party to whose care it is by this bill of lading consigned; and after such delivery, the said line shall be no longer responsible for or on account of this bill of lading or for or on account of any assignment or transfer thereof.

It is further agreed that the said National Line and the steam-boats, railroads, and forwarding lines with which it connects shall not be held accountable for any damage or deficiency in packages after the same shall have been receipted for in good order by consignees or their agents, at or by the next carrier, beyond the point to which this bill of lading contracts. Consignees are to pay freight and charges upon the goods or merchandise in lots or parts of lots as they may be delivered to them, and upon the weight as ascertained by the line's scales. The goods transported shall be subject to a lien, and may also be retained for all arrearages of freight due on other goods by the same consignee or owners.

It is further stipulated and agreed that in case of any loss, detriment, or damage done to or sustained by any of the property herein receipted for during such transportation, whereby any legal liability or responsibility shall or may be incurred, that company alone shall be answerable therefor in whose actual custody the same may be at the time of the happening of such loss, detriment, or damage, and the carrier so liable shall have the full benefit of any insurance that may have been effected upon or on account of said goods.

And it is further agreed that the amount of the loss or damage so accruing, so far as it shall fall upon the carriers above described, shall be computed at the value or cost of said goods or property at the place and time of shipment under this bill of lading, except the value of the articles has been agreed upon with the shipper, or is determined by the classification upon which the rates are based.

It is further agreed that all weights furnished by shippers are subject to correction.

This contract is executed and accomplished, and the liability of the companies, as common carriers thereunder, terminates on the arrival of the goods or property at the station or depot of delivery (and the companies will be liable as warehousemen only thereafter) and unless removed by the consignee from the stations or depots of delivery within twenty-four hours of their said arrival they may be removed and stored by the companies, at the owner's expense and risk.

NOTICE—In accepting this bill of lading, the shipper or other agent of the owner of the property carried, expressly accepts and agrees to all its stipulations, exceptions, and conditions.

——— ———, *Agent.*

FOREIGN.

[Form 743.—Foreign. N. Y.—Special.]

STAR UNION LINE.

Via Pennsylvania Railroad and ——— from Chicago to ———.

Shipped in apparent good order by ——— ———, the following property, marked or numbered as below (weight, measure, gauge, quality, condition, quantity, brand, contents and value unknown), weight subject to correction:

	Marks and numbers.	Merchandise.
	.....	.....
	.....	.....
	.....	.....
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	.....	.....
	.....	.....
	.....	.....
	.....	.....

To be delivered in like good order and condition, unto ——— ———, or —— assigns, upon payment in cash of freight due thereon, immediately on landing the property, at the rate of ——— —— cents, American gold, per 100 pounds gross weight, with all charges and average accustomed, without any allowance for credit or discount, one pound sterling being considered equal to four dollars and eighty cents ($4.80) American gold, under the following terms and conditions, viz:

1. That said Union Line, and its connections which receive said property, shall not be liable for breakage of packages of eggs, or for rust of iron and of iron articles, or for loss or damage by wet, dirt, fire, or loss of weight, or for condition of baling on hay, hemp, or cotton; nor for loss or damage of any kind on any article whose bulk requires it to be carried on open cars; nor for damage to perishable property of any kind occasioned by delays from any cause or changes of weather; nor for loss or damage on any article or property whatever, by fire or other casualty, while in transit or while in depots or places of transshipment, or at depots or landings at all points of delivery; nor for loss or damage by fire, collision, or the dangers of navigation while on seas, rivers, lakes, or canals. All goods or property under this bill of lading will be subject, at its owner's cost, to necessary cooperage or baling, and is to be transported to the depots of the companies or landings of the steam-boats or forwarding lines at the points receipted to for delivery.

2. It is further agreed that said Union Line and its connections shall not be held accountable for any damage or deficiency in packages after the same shall have been receipted for in good order by consignees or their agents, at or by the next carrier beyond the point to which this bill of lading contracts. Consignees are to pay freight and charges upon the goods or merchandise in lots or parts of lots as they may be delivered to them.

3. It is further stipulated and agreed that in case of any loss, detriment, or damage done to or sustained by any of the property herein receipted for during such transportation, whereby any legal liability or responsibility shall or may be incurred, that company alone shall be held answerable therefor in whose actual custody the same may be at the time of the happening of such loss, detriment, or damage, and the carrier so liable shall have the full benefit of any insurance that may have been effected upon or on account of said goods.

4. And it is further agreed that the amount of loss or damage so accruing, so far as it shall fall upon the carriers above described, shall be computed at the value or cost of the said goods or property at the place and time of shipment under this bill of lading.

5. And it is further agreed that the carriers shall not be liable for any discrepancy between the contents of the packages and the description of the same in the bills of lading, nor for any discrepancy between the mill brands of flour, as stated in the margin hereof, and those actually delivered.

6. And it is further agreed that from and after the arrival of said goods at the port of New York, and while said goods remain on the wharf or wharves waiting for further conveyance, the Union Line shall not, nor shall any of its connections—inland or ocean—be liable for delay, nor shall they, or any of them, be liable in respect of said goods otherwise than as warehousemen. It is also agreed that the said Union Line reserves the right not to forward said goods or property by first steamer or steamers, and to ship by any steam-ship or steam-ship line other than the one named herein.

7. And it is further agreed that this contract, on the part of the Union Line is accomplished and the liability of the Union Line as a common carrier or farwarder thereunder, as limited in and by the foregoing-terminates on the delivery of the goods or property to the steam-ship, her master, agent, or servants, or to the steam-ship line at port of New York when the responsibility of the steam-ship or steam-ship line begins, and not before.

8. And is is further agreed that the above mentioned property shall be transported from the port of New York to the port of ——, by the said steam-ship or steam-ship line, with liberty to ship by any other steam-ship or steam-ship line, subject to the following exceptions and restrictions, viz: That the carrier shall not be liable for damages arising out of the act of God, public enemies, pirates, robbers, thieves, by land or at sea, barratry of masters or marines, restraint of princes, rulers, or peoples; loss or damage resulting from vermin, rust, sweating, wastage, leakage, breakage, mortality, or from rain, spray, coal, or coal dust, insufficiency of strength of packages, inaccuracy, indistinctness, illegibility, obliteration of omission of marks, numbers, brands, or addresses, or descriptions of goods, injury to wrappers however caused, or from corruption, frost, decay, stowage, or contact with or smell or evaporation from other goods, or from loss or damage caused by heavy weather, or pitching or rolling of the vessel, or from inherent deterioration, risk of lighterage to or from the vessel, transshipment, jettison, explosion, spontaneous combustion, fire before loading in the ship, or after unloading, heat, boilers, steam, or steam-machinery, including consequence of defect therein or damage thereto, collision, stranding, straining, or other perils of the seas, rivers, steam and steam navigation, or land transit of whatsoever nature or kind, nor for damage, loss, or injury arising from the perils or matters above mentioned, and whether such perils or matters arise from the negligence, default, or error in judgment of the pilot, master, mariners, engineers, stevedores, or other persons in the service of the carrier; nor shall the carrier be held accountable for weight, contents, value, length, measure, or quantities or condition of contents, nor for money, documents, gold, silver, bullion, specie, precious metals, jewelry, precious stones, statuary, paintings, or other highly valued goods, or beyond the amount of one hundred pounds sterling for any one package, unless bills of lading are signed therefor and the value therein expressed, and the freight paid accordingly. The carrier is not to be liable for any damage to any goods which are capable of being covered by insurance, nor for any claim, notice of which is not given before the removal of the goods, nor for any claims for damage or detention of goods under through bill of lading, where the damage is done or detention occurs whilst the goods are not in the possession of the carrier, nor in any case for more than the known or invoiced value of the goods, whichever shall be least. Goods of an inflammable, explosive, or otherwise dangerous character, shipped without permission and full disclosure of their nature and contents, may be seized and confiscated or destroyed by the carrier at any time before delivery without any compensation to the shipper or consignee. In case any part of the within goods can not be found for delivery during the vessel's stay at the port of

destination they are, when found, to be sent back by first steamer, at ship's expense, the steamer not to be held liable for any claim for delay or sea risks. The only condition upon which glass will be carried is that the carrier shall not be held liable for any breakage which may occur from negligence or any other cause whatever. The goods to be taken from alongside by the consignee immediately the vessel is ready to discharge, or otherwise they may be landed by the master and deposited at the expense of the consignee, and at his risk of fire, loss, or injury in the warehouse provided for that purpose, and the carrier to have a lien on the goods for such charge. Parcels for different consignees, collected and made up in single packages, addressed to one party for the purpose of evading payment of parcel freight, will be charged with the proper freight on each parcel. The steamer shall have liberty during the voyage to call at any port or ports to receive fuel, to load or discharge cargo, or for any other purpose whatever; to sail with or without pilots, to tow and assist vessels in all situations, and in the event of putting back to New York, or into any other port, or being otherwise prevented in the ordinary course of her voyage, to transship the goods to any other steamer. Further, subject to any other conditions and restrictions expressed in the customary forms of bills of lading in use at the time of shipment by steam-ship or steam-ship line carrying this property.

(On the margin:)—Attention of shippers is called to act of Congress of 1851: "Any person or persons shipping oil of vitriol, unslacked lime, inflammable matches, or gunpowder, in a ship or vessel taking cargo for divers persons on freight, without delivering at the time of shipment a note in writing expressing the nature and character of such merchandise to the master, mate, or officer or person in charge of the loading of the ship or vessel, shall forfeit to the United States one thousand dollars."

NOTICE.—In accepting this bill of lading the shipper or other agent of the owner of the property carried expressly accepts and agrees to all its stipulations, exceptions, and conditions.

In witness whereof the agent signing for the said railway and steam-ship companies hath affirmed to —— bills of lading, all of this tenor and date, one of which being accomplished the others to stand void.

Dated in Chicago, Ills., ——— —, 188–.

———, ———,

Agent severally but not jointly.

PART III.

CONCLUSION.

III.—EXTENT OF TRICHINIASIS IN AMERICA AND EUROPE.

This subject being in the present attitude of certain foreign governments in regard to American pork products the most important of all the questions that have received our attention, we have given it a very careful consideration. The alleged frequency of trichiniasis in American hogs has been *the* reason insisted upon by the various countries which have prohibited the importation of such products; for while it is true that other objections have been advanced, particularly in France, none of these have sufficient foundation in fact to stand the test of even a superficial examination. It is, however, not a question of the prevalence of trichiniasis here and its absence in other countries, since this parasite has been found infecting the hogs and other flesh-eating animals in the most widely separated portions of the earth. Dr. Manson examined 225 specimens of Chinese pork and found 2 or nearly 1 per cent. infected.* Dr. Wartable has described epidemics near the sources of the Jordan resulting from eating the flesh of the wild-boar,† and in every European country in which inspections have been made a very considerable proportion of trichinous animals have been discovered.

Certain writers have pretended that the animals of France have never

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* Imp. Customs Med. Report, Shanghai XXI (1881), p. 26.

† Lancet, August 4, 1883.

been infected with trichiniasis,* but this conclusion seems to have been reached without any investigations. A large proportion of the rats of Paris were long since found to be infected,† and in 1879 a serious epidemic of trichiniasis, known as that of Crépy-en-Valois, occurred, in which sixteen persons sickened from eating the flesh of a native animal.‡

That trichinæ also exist in America and infest a small proportion of American hogs is a fact that must be admitted, but it is a more difficult matter to compare the frequency of American and European infection than has usually been supposed. American hogs have usually been examined by microscopists who were competent to do the work and who would not overlook a single case, while in Germany there has been an immense number of inspectors employed (18,581 in 1881), many of whom were utterly incompetent. An examination in 1877 showed that many of the miscroscopes were useless, that glasses used were too dirty to permit the examination, and that some of the inspectors were incapable of detecting the parasite.§ Even as late as 1881 there were complaints in regard to the incompetency of inspectors, and the continued recurrence of thrichiniasis among people from eating inspected meats demonstrates that these complaints were not made without reason.‖ Even the German inspections of American meats can not be taken as a fair comparison with the average of their inspections of indigenous animals, for the reason that our meats are examined in their larger cities and by their most competent inspectors. It is absolutely necessary to bear these facts in mind in considering the figures which are given as representing the results of the miscroscopic examination of American and European pork.

PROPORTION OF AMERICAN HOGS INFECTED WITH TRICHINIASIS.

The hogs in Dearborn County, Indiana, seem to be infected in a larger proportion than anywhere else in the country, or at least were in 1874. Drs. Harding and Robbins examined 245 animals slaughtered near Lawrenceburg, and found that 40, or $16\frac{1}{3}$ per cent., contained this parasite. This seems to be far beyond the average, however, even in this center of infection, for Drs. Gatch and Miller examined 200 animals at the same place and only found 13 infected, or 6.5 per cent.¶

In 1866 Belfield and Atwood are reported to have found 2 per cent. of the hogs slaughtered in Chicago infected, and in 1878 an examination of 100 animals at the same place indicated that 8 per cent. contained trichinæ.

From 1879 to 1881, Dr. F. S. Billings, of Boston, examined 8,773 hogs, of which 347, or 4 per cent., were reported as containing trichinæ.

Dr. Deveron, of New Orleans, inspected 5,400 hogs in 1881, of which only 22, or 0.4 per cent., were trichinous.** Of these animals, 529 came from Saint Louis, and among them were 18 infected ones, being 3.4 per cent.; 241 came from Louisville and 2 of these, or 0.83 per cent., contained trichinæ; 484 from unknown parts of the West had but 2 infected, or 0.4 per cent., while the remaining 4,146, mostly from the South, were free from this parasite.

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* J. Chatin, La Trichine et la Trichinose.
† Davaine, Traité des entozoaires, etc., p. 755.
‡ Gazette des Hopitaux, February 20, 1879.
§ Vierteljahrschrift f. Ger., Med., etc., N. F. XXX, p. 175–181.
‖ Loc. cit. XXXVII, p. 345–351.
¶ A Report on Trichiniasis as observed in Dearborn Co., Ind., in 1874. By George Sutton, M. D., Aurora, Ind.
** Report of American Health Assoc., vol. 7, p. 136.

Dr. C. A. Simpson examined 30 hogs at Atlanta, which were mostly from Tennessee, without finding any infected, and Dr. R. W. Steger examined 180 at Nashville, Tenn., all of which were also free. Dr. William Myers examined 330 hogs at San Antonio, Texas, finding trichinæ in but 2, or 0.6 per cent.*

Dr. H. J. Detmers has examined from August to December, 1883, for the Department of Agriculture, 3,331 at Chicago, of which 80, or 2.4 per cent., were found to be infected. Of this number 1,126 were from unknown districts of the West, 46, or 4.08 per cent., containing trichinæ; 50 were from Michigan, among which 4 contained the parasite; 831 were from Iowa, of which 19, or 2.27 per cent., were infected; 50 were from Dakota, of which 1 was infected; 520 were from Illinois, among which were 7, or 1.35 per cent., containing trichinæ; 304 were from Wisconsin, with but 2 infected, or 0.66 per cent.; 350 came from Nebraska, having but 1 infected, or 0.28 per cent.; 100 were from Minnesota, and were free from infection.

In the laboratory of the Department of Agriculture specimens from 300 hogs have recently been examined, and of these 5, or 1.66 per cent., were found to contain this parasite.

We have above the records of the examination of 18,889 hogs from various parts of the United States, of which 517, or 2.7 per cent., contained trichinæ. It is evident from these records that a considerable proportion of the hogs from some sections of the country are trichinous, while those from other sections are practically free from infection. While it may be difficult to outline the trichinæ districts and to trace the infected animals to the farms on which they were raised, it is believed that such a study would do much to clear up the origin of this infliction.

In addition to the inspections detailed above, Drs. Osler and Clement examined at Montreal 1,000 hogs from Western Canada, finding 4 infected.† The French inspectors report the examination of 103,528 pieces of American meat, containing 2,080, or about 2 per cent., infected.‡ The German inspectors, during the year 1880, examined 78,880 pieces of American pork, of which we have record, and found 1,265, or 1.6 per cent., to contain trichinæ; and in 1881 they examined 96,485 pieces, finding trichinæ in 2,414, or 2.5 per cent.§

Taking all the examinations of American pork thus far made, both at home and abroad, and we have a total of 298,782, during which trichinæ were found 6,280 times, being 2.1 per cent., or 1 to 48.

It would seem that this number of pieces, considering the close agreement between the results reached by American microscopists over this limited territory and those obtained by the inspectors of American pork in Europe, perhaps represents the condition of American pork so far as examined.

In Europe there are some localities where the inspections have shown a greater proportion of infection than the average in the United States. At Stockholm 2,000 hogs contained 58 infected ones, or 2.9 per cent.; at Tannefors 300 hogs contained 10 infected ones, or 3.3 per cent.; and in 112 Bavarian hams 3 were trichinous,‖ while Dr. Rine, of Linten, reported 4 infected animals in 45, or nearly 9 per cent.¶ In Prussia,

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*Report of American Health Assoc., vol. 7, p. 138–145.

† An Investigation into the Parasite in the Pork Supply of Montreal, 1883, page 6.

‡ Chatin, La Trichine et la Trichinose, Paris, 1883, page 217.

§ H. Eulenberg. Ueber die im Jahre, 1881, auf Trichinen und Finnen untersuchten Schweine. Vierteljahrschrift, f. Ger. Med., &c., 1882.

‖ Warfwinge, Nord. Med. Ark., 1875, VII, 3, No. 18.

¶ Meissner, Schmidt's Jahrbücher, No. 130, page 118. Quoted by Glazier Rep., page 68.

where the only really effective inspection is made, the proportion found infected with trichinæ was, in 1876, 1 to 2,000; in 1877, 1 to 2,800; in 1878, 1 to 2,000; in 1879, 1 to 1,632; in 1880, 1 to 1,460; in 1881, 1 to 1,839; in 1882, 1 to 2,056.* The number of inspectors in 1882 is placed at 20,140. Several inspectors at Erfurt were removed on account of incapacity, and complaints were made as to the condition of the microscopes. Indeed, it seems that the village barber is usually trusted with the inspection of hogs in the smaller towns and villages, and that he is required to make but three preparations from each animal.

Frequently, or generally, the specimens for examination are taken from the hams and hard muscles, where the trichinæ are least abundant, instead of from the pillars of the diaphragm and tenderloin, where they are most easily found. Since the great epidemic of trichiniasis in Saxony it seems to be admitted that these inspections are totally inadequate, and in order to make them more efficient the magistrates have awarded sums varying from 15 to 30 marks for each trichinous animal discovered. As a result of the rewards, and possibly of the fear excited by the recent terrible outbreaks of the disease in people, an increased number of infected hogs seem to have been discovered.† These facts, as well as the extraordinary number of people recently infected from eating pork which had been inspected, are sufficient to demonstrate that large numbers of trichinous hogs pass the inspectors without being discovered, and that consequently the figures given above are not a correct representation of the proportion of hogs which are infested with this parasite.

In nearly every country of Europe hogs have been examined and a certain number found to contain trichinæ, but the records do not seem to have been carefully kept; the data are not fully given, and there is reason to doubt the accuracy of the work. It is difficult, therefore, to reach any satisfactory conclusion as to the proportion of infected hogs. We may safely assert, however, that no country can with reason claim that its hogs are free from trichinæ, while the probability is that European hogs generally are infected in a much larger proportion than is at present admitted.

In some parts of Europe rats seem to have been examined more carefully than pigs; thus in Saxony one-half of the rats from flayers contain trichinæ, and 20 per cent. of all those caught are similarly infected; in Moravia, sixteen out of one lot of twenty rats were infected, nine of a second lot of twelve were infected, seven of a third lot of eight were infected. In Klederling, a suburb of Vienna, seven out of forty-seven, and at Untermeidling two out of thirty-one were infected.‡ In France, where the authorities now deny the existence of trichinæ except as imported, and where one of the reasons for prohibiting American pork is the alleged fear of scattering the parasite over the country,§ the only outbreak of trichiniasis on record was caused by the flesh of a native hog; and the rats from the ditches and sewers of Paris, examined by Drs. Goujon and Legros, were infected in a very large proportion, one lot of thirty-two contained three with trichinæ, and of seventy-two rats, five were full of these parasites.‖

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* H. Eulenberg, Vierteljahrschrift f. Ger. Med., 1877 to 1883.

† Dispatches of A. A. Sargent, American minister at Berlin, to State Department, dated October 26 and November 12.

‡ Dr. Glazier, Report on Trichinæ and Trichiniasis, Washington, 1881.

§ J. Chatin, Trichine et Trichinose, p. 153, foot-note.

‖ Thèse de Paris, 1866, and Davaine Traité des Entozoaires, p. 755.

EFFECT OF THE CURING PROCESS ON THE TRICHINÆ.

If we admit that about two per cent. of American hogs contain trichinæ, it becomes a matter of the greatest importance for us to inquire into the condition of the parasite after it has been subjected to the action of salt a sufficient time to enable the pork to be carried from the packing-houses in this country to the consumers abroad. And here the effect on the consumers is entitled to more weight as a matter of evidence than those scientific experiments which are simply designed to prove the life of the parasite; for the trichinæ may sometimes still be living but not have sufficient vitality to develop and reproduce itself. Such trichinæ would be perfectly harmless even though the pork were eaten without previous cooking.

In France it is said in the report of Academy of Medicine of Paris, that 95,000,000 kilograms or 200,000,000 pounds of American pork products had been consumed from 1876 to 1881 without causing a single case of disease. And notwithstanding the fact that large quantities of such pork have been consumed for a number of years, the one outbreak of trichiniasis at Crépy, which was clearly traced to a French hog, is the only instance of the appearance of this disease among people that is recorded in that country.

In Germany, where it is the habit of the people to eat pork without cooking, trichiniasis among people is common, and it has been very frequently asserted in some quarters that many of these cases were due to American pork. During the recent terrible epidemic at Emersleben and neighboring towns, Dr. Brouardel, of the Paris Academy of Medicine, went to Prussia to investigate the origin and nature of the disease and learn what he could in regard to the healthfulness of American pork. Not only did he find that these particular cases of trichiniasis were due to German hogs, but such eminent and well-known authorities as Professors Virchow and Hertwig, who have charge of the pork inspection at Berlin, asserted most positively that no case of trichiniasis in Germany had ever been clearly traced to American pork, although the people, as is their habit, persist in eating it raw.*

The so-called outbreak of trichiniasis on board the English reformatory school-ship *Cornwall* has been much quoted as illustrating the danger of American salted pork, but when closely investigated it proves to be an illustration of jumping at conclusions without evidence, as always seems to have been the case where trichiniasis has been attributed to our meats. This outbreak of disease occurred between September 23 and October 23, 1879, and forty-three boys were attacked out of a total of two hundred and sixty-two boys and fifteen officers on the ship. The idea that the disease was trichiniasis seems to have been an afterthought, for the only examination made was of the body of one of the boys two months after it had been buried. Doctors Powell and Cory thought they found trichinæ in the muscles, and concluded the disease must have originated from the American pork, which was used on board the ship; but no examination of this pork appears to have been made and we are not at all certain that English pork was not used as well. Fortunately, specimens taken from the corpse were submitted for examination to that well-known scientist, Dr. Charlton Bastian, and he pronounced the worms not trichinæ at all, but a hitherto unknown nematoid which he classed with the genus *Pelodera*, calling the species

*P. Brouardel L'Epidemic de trichinose d'Ermesleben. Bul. de l'Acad. de Méd., Paris, 1883, p. 1501.

Pelodera setigera. Dr. Cobbold, who is one of the very best authorities on this subject, asserts very positively that the worm was the *Pelodera teres*, and had probably invaded the body after death.* As this worm has never been known to exist as a parasite in the hog, the assumption that the disease was produced by eating pork is an entirely gratuitous one, and the further assumption that it was due to the American pork is evidently without the least foundation.†

England has been one of the largest consumers of American bacon, hams, and pork, taking, even in 1880 and 1881, when this trade reached its largest proportions abroad, five times as much as either France or Germany. Belgium has also been a large consumer. The *Comité consultatif d'hygiene publique de France* said in a recent official report that in order to determine the danger from the use of American pork they had recently made new inquiries in England and Belgium. In England they were told that trichiniasis was so completely unknown that it was never mentioned, either in the newspapers, the hospitals, or in teaching medicine. And this was also the case in Belgium.‡

We may conclude, therefore, that notwithstanding the enormous quantity of American pork which has been consumed in Europe, there is no reliable evidence that any cases of trichiniasis have ever originated from its use.

We can now consider more intelligently the conflicting testimony in regard to the condition of the trichinæ in American salted meats when they reach Europe. In 1879 it was stated in the German reports that although a very considerable number of examinations had been made at Minden, no living trichinæ had been demonstrated in preparations of American pork.§ This statement was repeated in 1880 by the same authority.‖ In France Colin and most others who have experimented with the trichinæ of American meats have found them dead and incapable of producing any injurious effects when fed to other animals. It was also found that even slight salting killed all the trichinæ within two months. Colin concludes, therefore, that the danger from eating American pork, considering the time that it must have been in salt before it can reach Europe, is slight or inappreciable.¶ Fourment** and Chatin†† have contested these results, but their opinions are so extremely radical as to lose much of their force on this account. It is not impossible that in certain very rare cases the capsules containing the trichinæ may have become so dense or so impregnated with lime salts as to protect the parasites for a longer time than usual against the action of the brine; but the complete innocuousness of our pork as demonstrated by its use on so large a scale in England, France, Belgium, and Germany, with no cases of disease clearly traced to it, is the strongest possible evidence of the destruction of the trichinæ during the process of curing.

Dr. Brouardel, of the Paris Academy of Medicine, who investigated the recent outbreaks in Ermsleben, has furnished new and very important evidence on this point ‡‡ He learned that the meat of the dis-

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* Veterinarian, 1884, p. 4.

† Power, W. H. Outbreak of Fever proved to be Trichiniasis on board Reformatory School-ship *Cornwall*. Rep. Med. Off. Local Gov. Bd., 1879, London, 1880.

‡ H. Bonley, Bul. de l'Acad. de Med., Paris, 1884, p. 33.

§ Eulenberg, Vrtljhrscht. f. Ger. Med., 1879.

‖ Loc. cit., 1880.

¶ G. Colin, Comptes Rendus, xciv (1882), 886–'8.

** L. Fourment, Comptes Rendus, xciv (1882), 1211–'3.

†† J. Chatin, La Trichina et la Trichinose, Paris, 1888, 164–190.

‡‡ Brouardel, Bul. de l'Acad. de Med., 1883, 1501.

eased hog was chopped and mixed with sufficient salt to preserve it, and those who ate of this meat soonest after the killing of the animal were not only more severely affected, but their symptoms appeared in a shorter time. The animal was killed the 12th of September, and of those who partook of this meat on the 13th 33 per cent, died; while of those who did not eat of it until the 18th and 19th none died. In fact, there was a very regular gradation in the intensity and fatality of the cases when they were classified according to the number of days which had elapsed between the killing of the animal and the eating of the meat. It is very evident that the parasites were rapidly losing their vitality and their power to produce disease. M. Colin thought this was due to the effects of the slight salting, and M. Brouardel seemed willing to admit this.

If, then, so marked a result is produced in a single week by the slight salting which this chopped meat received it is very plain that the high degree of salting to which our packed meats are subjected must be sufficient in the vast majority of cases to completely destroy all trichinæ and to make the meats perfectly safe. The question cannot be narrowed down for this reason to a comparison of the proportion of animals affected with trichinæ in America and Europe, even if this were actually determined, which is not the case, but it necessarily turns on the healthfulness of the meats of these countries at the time when they are offered for consumption. And when the matter is viewed from this stand-point the very great superiority of American salted meats over even the inspected German hogs is too apparent to be questioned by unbiased scientific men.

In the latest discussion on this subject in the Paris Academy of Medicine M. Proust said:

The question is not a determination if American meats contain trichinæ, but in what condition these trichinæ are found; if they are alive or dead; if they are injurious or not; in a word, if the consumption of American salted meats is dangerous or not to the public health.

In this connection I ask permission of the academy to read a passage from a most interesting letter that I received this morning from Dr. Gibert, a health officer and distinguished sanitarian of Havre:

"In 1881," says M. Gibert, "American salted meats entered largely into the food supply of the working class of Havre; but in regard to this it is important to divide the consumers into two classes:

"1. The people buying American salted meat for family consumption always cooking it and never eating it raw. The inhabitants of the quarters of Eure and Saint Francois nourished themselves exclusively with it.

"2. The workmen employed in handling the packages of salted meat, who during fifteen years continued to eat this meat raw. MM. Bouley and Chatin could easily have seen in their walks on the wharves of Havre workmen breakfasting on a piece of bread and a slice of raw bacon, eating not only the fat but all parts of the meat. Any one could repeatedly see these workmen day after day, even when at work, eating pieces of raw salt pork without fear.

"It is certain, then, that at Havre, for more than fifteen years, hundreds of workmen consumed salted meats, trichinous as well as not trichinous, and never during this long period of years has a single workman been incommoded by this food.

"No physician in Havre has seen a disease resembling in the least the Ermsleben disease described by MM. Brouardel and Grancher. Such an assertion demands some proofs which it is easy for me to give.

"I would remark, in the first place, that if the meat consumed raw had affected the health of the workmen employed in such large numbers handling salted meats the directors would have soon discovered the vacancies in the ranks of the workers. After an investigation carefully made by me, and which it is easy to make anew officially, it was found that never had there been a knowledge of such a fact in any of the large importing houses of Havre.

"The workmen, after the arrival of the Paris savants, took pleasure in eating the pieces themselves that were pronounced trichinous, so certain were they of their perfect harmlessness. And neither during the stay of these gentlemen at Havre, nor afterwards, was there a single case of disease, or even a simple indisposition.

"In the second place, I would remark that during this period of fifteen years we have had no serious epidemic of typhoid fever. That of 1880–1881, the only one at all serious which has occurred in our city, affected the quarters occupied by the well-to-do or rich people, while the quarters where the American meat was consumed suffered very little. There was then no possibility of an error on the part of the physicians, even if such a gross error could have been committed.

"It follows, from the facts that I have just related, that the salting of American pork is sufficient to kill the trichinæ; and if, in addition to this cause of security which has been experimented upon by the workmen of Havre for fifteen years, we add the cooking, as it is practiced everywhere in France, the conclusion is forced upon every one not prejudiced in advance that American salted meats are absolutely incapable of producing trichiniasis in the consumers."

In the same discussion M. Leblanc said:

The discussion appears to me exhausted; however, I ask permission of the academy to communicate in support of the note of Dr. Gibert the following observation. It was furnished to me by the principal meat inspector of Paris:

The veterinarians under his direction examined during six months in 1881 5,000 kilograms (11,000 pounds) of American salted meat per day. Sixty thousand kilograms were seized as trichinous, and a large part was shipped to England. During these six months the employés and draymen of the dealers in salted meats who came to the station of Batignolles ate meat in presence of the inspectors which was notoriously infected with trichinæ. Not one of them became sick.

One of these, M. R., employed by Calman, 11 Rue Begère, was accustomed to this, and took pleasure in eating the parts of the pork in which the microscope had demonstrated the presence of trichinæ. To-day, after three years, he is well; more than this, having been received at Beaujon as a patient of our colleague M. Tillaux, for a fractured arm, and having related his bravado, he was the subject of a special examination; his muscular tissue was recognized to be healthy, and no trichinæ could be found in it.*

EFFECT OF COOKING ON TRICHINÆ.

If the trichinæ of American pork are destroyed by the curing process in a time much shorter than is necessary for such meats to be shipped from our packers to any of the consumers in Europe, it may seem superfluous to go into the consideration of the effect of cooking, and yet it is not wholly so. Under certain conditions it would appear that the trichinæ do resist the curing process for a considerable time; and though these conditions occur so seldom that uninspected salt meats are much safer than inspected fresh ones, it is still worth our while to inquire if perfect safety against infection can not be guaranteed where a reasonable degree of cooking is practiced.

There is some conflict of opinion as to the temperature necessary to destroy trichinæ, and yet the results of experiments do not differ so widely. Vallin† concluded that a temperature of 54° to 56° C. (129 to 133° F.) kills most of them, and that 60° C. (140° F.) is safe. Fiedler's experiments show that trichinæ are quickly killed at 62.5° C. (144.5° F.) Fjord's investigations show that the interior of a ham weighing 8 pounds reaches 65° C. (149° F.) after boiling two hours and seventeen minutes; one weighing 10 pounds, after three hours and six minutes; one weighing $14\frac{3}{4}$ pounds, after four hours and eleven minutes; and one weighing 16 pounds, after four hours and thirty-seven minutes. Vallin found that a ham weighing 12 pounds had an interior temperature of 65° C. after three and a half hours' boiling. These results, therefore, correspond very closely. Hein‡ found that a 2.2-pound roast reached a temperature in its interior of 69° C. after one and a half hours. Rupprecht observed that rapidly fried sausage only had an interior temperature of 53.5° C.,

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*Bulletin de l'Academy de Medecine, 1884, No. 6 (February 5), pages 241 and 247.

†E. Vallin. De la resistance des trichines à la chaleur et de la temperature centrale des viandes preparées. Rev. d'hyg. Paris, 1881, III, 177–182.

‡C. Hein. Rep. of case of trichiniasis, with remarks on diagnosis and prophylasis Mitth. d. ver. d. Aertzte in Nied Pest, 1883.

and was still capable of producing infection. Colin* had a steak weighing half a pound boiled for ten minutes, when its appearance on cutting was white, without any red points. It still contained living trichinæ, however, which, being fed to a bird, were afterwards found developed in the intestine.

The indications from these experiments are that while fresh meats may not always be cooked sufficiently to kill trichinæ, salted meats are almost invariably cooked for more than the necessary time. This conclusion seems also to be borne out by the experience of people in all parts of the world. Trichiniasis from cooked meats is an exceedingly rare disease. In the United States, where pork in its various forms is consumed to as large an extent as in any part of the world, and where more than one-fourth of the hog product of the world is eaten, it is seldom, indeed, that we hear of any infection among our native population, because the habit of eating raw meats, particularly when fresh, does not prevail. The few cases which occur from time to time are nearly always among Germans and are traced to the ingestion of pork in some form, which has not been cooked at all.

In this connection Dr. Brouardel brought out a very interesting fact in his investigation of the epidemic at Ermsleben. No cases of disease occurred there except with those who ate the meat raw. The family of Herr Heine, the mayor of Ermsleben, consisting of five persons, consumed some of this same meat in the form of sausage on the 15th of September. The sausage was cut in pieces about 1½ inches in diameter and was cooked by placing in boiling water for only five minutes. Not one of this family suffered in the least degree, but the cook who ate a small piece of the sausage before it was cooked, contracted the disease. Boiling for so short a time has never heretofore been considered sufficient to destroy this parasite, and yet in this instance it undoubtedly protected the consumers from the infection.

At the session of the Paris Academy of Medicine, January 29, 1884, a report was presented by the special committee appointed to consider (1) the report of M. Brouardel in regard to his mission to Ermsleben, (2) the communication of M. Grancher on the symptoms and pathological anatomy of the epidemic of Ermsleben, and (3) a letter from the minister of commerce asking the advice of the academy in regard to the question of trichiniasis. In this report appear the following points of interest:

> A considerable invasion of German rats has been noticed of late years after the freezing of the Rhine, and M. Brouardel no longer sees the same species of rats at the morgue that he formerly found there. M. Laboulbene and M. Colin had occasion to observe quite a large number of trichinous rats that had been found in the sewers of Paris. Finally, we are also invaded by the trichinæ which penetrate France with the German hogs, which are infected in the proportion of 1 to 1,000 to 1 to 2,000.
>
> Without doubt we do not know precisely, scientifically, the degree of activity of the trichinæ according to the time that they have been encysted in American meats, their vigor, the condition of the meat and the stage of the curing—desiderata which future experiments can alone supply.
>
> The same ignorance exists in regard to our own hogs—are any of them trichinous? If so, what proportion? What is the condition of those in the suburban zone surrounding Paris which, nourished like the sewer rats, may be trichinous like them.
>
> It remains for us to speak of the action of American salted meats in the production of the epidemics of trichiniasis in Germany which have been observed at Dusseldorf, Rostock, and Bremen, but our information in this respect is entirely insufficient, and according to the indications that M. Brouardel has already presented to the academy the exotic origin of these epidemics is denied by several of the principal German savans, and particularly by M. Virchow. Our Government might address the German Empire in regard to this in order to have official documents; but the results of such

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*G. Colin. Sur les trichines. Bulletin de l'Acad. de Med., 1881, 243.

an inquiry have for us, from the stand-point now under discussion, an almost secondary importance. If in fact we, like the English and the Belgians, have been free from epidemics of trichiniasis although we received salted trichinous meats and even fresh or slightly salted pork of German origin more dangerous than that which comes from Chicago or Cincinnati, since it had only to cross the Rhine and the Vosges, this is because our culinary habits are entirely different. Let us remark also that in America it is above all the Germans who are affected with trichiniasis—an additional proof of the effect of culinary habits.

But already we can conclude from the developments which precede that no case of trichiniasis having been noticed either in France or in England from the consumption of American salted pork, the importation of these meats may be authorized in France. This decision has been reached by the commission by a vote of 5 to 1.

At the same session of the academy M. Lunier presented the following table, showing the importation of salt pork products for eight years in kilograms:

Year.	United States.	England.	Germany.	Other countries.	Total.
1876	3,269,960	1,875,736	702,530	1,047,920	7,896,146
1877	12,462,078	1,889,905	994,234	1,078,505	16,424,722
1878	28,102,290	1,454,884	921,167	1,314,437	31,792,778
1879	31,784,913	1,107,691	1,039,673	1,742,854	35,675,131
1880	34,246,195	1,233,228	846,174	2,387,671	38,713,268
1881	17,123,767	686,525	723,465	1,182,474	19,716,231
1882	4,611	1,109,870	1,055,783	1,074,259	3,244,523
1883	52,396	.....	1,136,793	2,091,779	3,274,966

It follows from this table that the importation of American salted meats, which had augmented rapidly from 1876 to 1880, began to diminish in 1881, after the decree of February 18, 1881, which prohibited the importation of salted meats from the United States into all the French territory. The 4,611 kilograms which appear in the year 1882 came from a stock taken from the warehouses December 31, 1882. The 52,396 kilograms of 1883 were introduced after the promulgation of the decree of November 27, 1883, which removed the interdiction.

The same gentleman presented the following table, which shows the number of live hogs imported into France in the years 1877 and 1882, and the countries from which they came:

Countries.	1877.	1882.
Germany	15,983	16,165
Belgium	57,806	68,716
Spain	4,234	2,204
Italy	66,366	9,567
Switzerland	964	1,586
Other countries	941	913
Total	146,294	99,148

In this connection he remarked: "It is then, to-day, Belgium and Germany which furnish us the greatest number of living hogs. Is it not from this direction that there is reason to fear the invasion of trichinæ and trichiniasis?" *

TRICHINIASIS IN AMERICA AND EUROPE.

The number of cases of trichiniasis occurring among people in the United States is actually very small. The records of these have not been brought together in a thorough manner, but, as far as we have been able to ascertain, the disease has never occurred in more than three or

*Bulletin de l'Académie de Médecine, 1884, pp. 189–211.

four localities in a single year, and during the last twenty years there does not appear to have been more than thirty different outbreaks. In none of these outbreaks have a sufficient number of people been attacked to allow of the term epidemic being applied to them in any proper sense of the word. Usually but two to four people have been affected at a time, and never so far as we have been able to learn, more than ten. All have resulted from eating raw or very imperfectly cooked meat, and in very few of the instances had the pork undergone any preliminary curing. Some of the cases reported as trichiniasis were never demonstrated to be this disease, but seem to have been the result of poisoning by meat which had been preserved without sufficient salting until it had undergone partial decomposition. It has long been known that extremely virulent poisons are produced during putrefaction of flesh, and the effects of these have been observed so often in Germany when sausages were eaten that they have received the special name of *wurstgift* or sausage poison. This does not seem to be understood by many American physicians, and so nearly every case of sickness arising from the consumption of the raw or imperfectly cooked flesh of hogs in the various forms in which it is preserved is reported as trichiniasis. So that while it may be true that some cases have not been reported or brought to our notice it is equally true that not all the cases reported as trichiniasis were really due to trichinæ.

In the debate which occurred in the French Senate June 20, 1882, M. Testelin referred to seven epidemics produced by American pork.* One of these so-called *epidemics*, consisted of a single case of the disease which occurred in New York. Another was the disease on the English ship Cornwall, which was at first supposed to be typhoid fever, and was only decided to be trichiniasis when a body was exhumed two months after burial, and worms, which the examining physician took to be trichinæ, were found in the muscles. But we have it on the very best authority that these worms were not trichinæ, and there is no evidence even that they caused the disease. The most probable theory is that they gained access to the body after burial. No trichinæ or other parasites were found in the American meat consumed on this vessel.

Another epidemic he referred to as having occurred at Bremen, in which forty persons became diseased from eating an American ham. M. Chatin has mentioned this outbreak again and again, and insists that it is a demonstration of the dangerous character of American meats. The charge was so serious that it has been investigated as carefully as possible. M. Testelin does not give the authority who is responsible for this statement, nor does he so much as say in what year the outbreak occurred. M. Chatin is more definite, however, and says the disease was observed in 1875.† He refers to the *Traite d'hygiéne publique et privée*, by Pronst, published in 1877, as his authority for asserting that forty persons were affected at this place as the result of eating an American ham. By consulting the yearly health report of Bremen for 1875 we find that no cases of trichiniasis in man are recorded during that year. There is simply a statement that two trichinous hogs (native animals) were discovered near Bremen. The outbreak of trichiniasis referred to by Testelin and Chatin seems to have been one that occurred at Hastedt, near Bremen, in 1874 during which forty-two persons suffered, but all recovered. This epidemic was first announced August 15, and was caused by eating the flesh of a hog that had been slaughtered July 31. The diagnosis was confirmed by microscopic examination of a piece

* Chatin, La Trichine, &c., p. 210. † *Ibid.*, p. 165.

of muscle from one of the sufferers.* There had been a habit here, as in most other parts of Germany, of attributing all cases of this disease to American pork without investigation and this may have been the origin of the story so industriously circulated by M. Chatin. At all events this is the only extensive epidemic of trichiniasis which is recorded as occuring at or in the vicinity of Bremen from 1873 to 1877, inclusive, and there is no question but that this was caused by a native animal.

One of the other epidemics referred to occurred in Madrid, and another in Liège, in Belgium. It is doubtful if, in either case, the trouble was traced to our pork; but no facts in regard to them have yet been obtained.

M. Chatin, in his recent work on trichinæ and trichiniasis, states that "such is actually the frequency of trichiniasis in the United States that the newspapers consider themselves happy if they have but a few deaths to record each week." Whether any one in France believes this remarkable exaggeration may be considered questionable, but still it is seriously advanced by a scientific man as a reason for prohibiting our pork. Those who see the American papers know very well that not only weeks but months elapse when no deaths are recorded from this cause. And if it were not for our foreign population, who have brought with them their dangerous habits of eating uncooked pork, America would be as free from trichiniasis among her people to-day as is France.

When we examine the records of Germany, however, we find that, in spite of the small proportion of infected hogs which they admit, in spite of the inspection, there occur a very large number of cases of this disease. In 1877 there were 16 in Königsberg, 1 in Potsdam, 6 in Berlin, 98 in Stettin, 1 in Oppelu, 61 in Merseberg, and 52 in Minden. In 1878 there were 27 in Königsberg, 8 in Marienwerder, 102 in Potsdam, 50 in Stettin, and 30 in Merseberg. In 1879 there were 55 cases in Königsberg, 93 in Frankfort-on-the-Oder, 82 in Berlin, 7 in Marienwerder, 3 in Schleswig, 60 in Erfurt, 7 in Merseberg, and several in at least three other places. In 1880 there were 149 in Merseberg, 83 in Erfurt, 49 in Frankfort-on-the-Oder, 3 in Marienwerder, 29 in Königsberg, and 16 in Berlin. In 1881 there were 3 in Marienwerder, 15 in Berlin, 10 in Frankfort-on-the-Oder, an indefinite number in Posen, 4 in Stettin, 148 in Merseberg, and 58 in Erfurt. In 1882 there were 3 cases in Berlin, 60 in Cologne, 4 in Merseberg, 4 in Heiligenstadt, and several in Posen.† In 1883 the remarkable epidemic in Saxony occurred from eating pork which had been slaughtered and inspected in the town of Ermsleben. In Ermsleben 257 persons contracted the disease, and 50 died.‡ In Deesdorf there were 40 cases and 9 or 10 deaths; in Nieuhagen 80 cases and 1 death. There were a number of other epidemics during the year, the statistics of which have not yet been published, but we have already recounted sufficient to show that trichiniasis is incomparably more frequent in Germany than in America.

Indeed, for the seven years from 1877 to 1883, inclusive, the very incomplete statistics given above show that 1,835 people contracted the disease, being an average of 262 cases per annum. When in addition to this we consider that the United States is really the greatest pork-eating nation in the world, that we consume more than four times as many hogs as are raised in Prussia, that a considerable portion of our population consists of Germans who retain their habit of eating raw

* Dritter Jahresbericht über den öff Gesundheitszustand, &c., in Bremen, in Jahre 1874.

† Eulenberg, Vrtljrscht. f. ger. Med. N. F., XXVIII—XXXVII.

‡ Deutsche Mec. Woch., 1884, No. 1, p. 7.

pork, the wonder is, not that we have a half dozen or a dozen cases of trichiniasis in a year, but that we do not have many times this number; and we see no way of explaining the comparative immunity which our people enjoy except by the conclusion that our pork, even when fresh, is not so much more dangerous than the German article, as the results of microscopic examination thus far published would lead one to suppose.

REPORTS OF BOARDS OF HEALTH.

The commissioners prepared and forwarded copies of the following circular letter to the various State and city boards of health:

With a view to ascertaining the extent to which trichiniasis prevails in the United States, the following questions have been formulated, to be addressed to the secretaries of the various State and city boards of health.

As it is desirable that the report of the commission should be presented to Congress at once, the undersigned would beg as speedy a response as possible:

1. How many cases of trichiniasis have come to the knowledge of your board? Please give dates as far as practicable.
2. In how many cases was there a microscopic identification of the trichinæ in the human subject and in the suspected meat?
3. How many of the cases were fatal?

Responses have been received from thirty-nine of these boards; of this number twenty-two give negative replies; they were as follows: Alabama, Arkansas, California, Delaware, District of Columbia, Kentucky, Louisiana, Maryland, Minnesota, Missouri, Albany (N. Y.), Ohio, Pennsylvania, Rhode Island, Tennessee, and Virginia.

The secretary of the State board of Alabama says that no case has ever occurred in that State, though infected meat has been reported.

The secretary of the health department of Maryland says that after an examination of the records from January 1, 1834, to December 31, 1883, covering a period of fifty years, he finds no cases of trichiniasis reported.

The health officer of Cleveland, Ohio, says that in 1872–'73 there were some cases of trichiniasis reported in that city, but no definite record of them can be found.

CASES OF TRICHINIASIS REPORTED.

Cases of trichiniasis are reported by the following boards, viz:

Connecticut.—Three in 1882, all from the same pork and at the same time. The suspected meat was examined by Mr. C. W. Chamberlain, of Hartford, secretary of the board, and others. No deaths resulted.

Illinois.—The registrar of vital statistics for the city of Chicago says:

Three deaths from trichiniasis have occurred in this city within the last ten years. Two of these occurred in December, 1880, and the last one in January, 1882. There was a microscopic identification in the two first cases, and probably also in the last.

The secretary of the State board of health says:

Between 1866 and 1881 there had been seven outbreaks of trichiniasis in Illinois, resulting in eleven deaths out of some seventy or eighty cases. Since 1881 there have been two deaths in Chicago; three outbreaks resulting in three deaths, and some twenty-five or thirty cases in 1883, and one in Fulton County in 1884, details of which have not yet been received. In nine of the fatal cases the disease was identified by microscopic examination of the human subject, and of the suspected meat in all cases.

Iowa.—The secretary of the State board of health reports as follows:

Since 1880, in compiling deaths, I have found three recorded as from trichiniasis; in 1880, two in Adams County, probably genuine cases; in 1881, one in Butler County, a very doubtful case. None of the cases were identified by microscopic examinations.

Massachusetts.—The health officer for the State board of health for Massachusetts says:

The number of cases of trichiniasis that have come to the knowledge of the board are as follows:

	Cases.
In Saxonville, Mass., February, 1870	3
In Lowell, Mass., March, 1870	6
In Framingham, Mass., December, 1872	3
In Becket, Mass., May, 1873	4
In Wakefield, Mass., March, 1880	3
Total number of cases	19

One death occurred in the outbreak at Saxonville.

Identification of trichinæ was made in the fatal case at Saxonville by *post mortem*. In the Lowell cases trichinæ were identified in the pork, as also in the Framingham cases. In the seven remaining cases at Becket and Wakefield the evidence was symptomatic and by exclusion, *i. e.*, members of families who had not partaken of uncooked pork were exempt from infection. The evidence, however, was satisfactory to the board.

Michigan.—The secretary of the State board of health of Michigan gives the following detailed report of ten outbreaks of trichiniasis in that State since December, 1866:

1. A fatal case of trichiniasis occurred in Detroit, Mich., in December, 1866. Upon *post mortem* examination large numbers of trichinæ were found in the abdomen, and a lesser number in the muscles of the leg. (Dr. Herman Kiefer.)

2. Five cases occurred in Port Huron, Mich., in January, 1874, with two deaths. The cases occurred in one family, and were caused by eating salted smoked-ham. (Reported by Dr. M. Northup, Port Huron, Mich.)

3. Several cases of trichiniasis occurred near Flint, Mich., in the fall of the year 1875. Cases also occurred there in June, 1876. In the last outbreak, at least, trichinæ were found by microscopic examination in the meat, and also in a particle of muscle of the leg of one of the patients. (The cases were in the practice of Dr. A. B. Chapin, of Flint, Mich., now of Detroit.)

4. Five cases occurred in Otsego Township, Allegan County, Mich., in February, 1877. All recovered. All were in one family, the members of which had eaten raw ham. Members of another family ate a small quantity of the meat, and were also sick, but recovered without medical attendance. Trichinæ were found in the meat by microscopic inspection.

5. Three cases, with one death, occurred in the city of Iona, Mich., in 1878, in the family of Mrs Strunck. The meat was eaten raw. A microscopic examination of the meat was made, and, I believe, trichinæ were also identified in the human subject.

6. I am informed that cases, and one or more deaths, occurred in the vicinity of Iona, Mich., in the summer of 1880, in the practice of Dr. H. B. Barnes. Trichinæ were found in the pork, and also, I believe, in the muscles of those who died.

7. Five cases and two deaths occurred in the family of a German named Rumsock, in Lansing, Mich., in the last of January, 1881, and the first of February, 1881. The cases were in the practice of Dr. Dolan, of Lansing, who has since died. Great numbers of non-capsuled trichinæ were seen by Dr George E. Ranney, myself, and others in the muscles of a boy who died. (I still have slides showing the trichinæ as taken from the muscles of a person in the family who died.) Part of the meat was eaten raw. It was not examined for trichinæ; but the hog was sick and was killed to avoid loss of the animal.

8. Five cases of trichiniasis occurred in Vickeryville, Montcalm County, Mich., in December, 1883. All resulted from eating the flesh of one hog. One death occurred. The boy who died had at different times eaten small pieces of pork only partially cooked by holding them on a fork before the fire. He had also eaten raw, on several occasions, little bits of sausage made from the flesh of the hog. Two others had eaten the meat cooked, but probably rare-done. The other person had eaten raw a little bit of sausage, perhaps half an ounce, but the rest of what he ate was well cooked. Trichinæ in abundance were found in the pork, specimens of which are now in this office. (Reported by Dr. J. Tennant, Carson City, Mich.)

9. Four cases occurred in January, 1884, in the city of Niles, Mich. One death has occurred and three persons are now seriously sick. The pork contains great numbers of trichinæ, as determined by observations made at Niles, Ann Arbor, and in this office.

Further details as to the five cases occurring at Port Huron, and also of the case at Detroit, are given in the published report of this board for the year 1875; and of those occurring in Otsego, in the report of this board for the year 1877.

Such answers as I am able to give to the four questions asked by your commission have been summarized from the foregoing particulars, and are given with each question, as follows:

"Question 1. How many cases of trichiniasis have come to the knowledge of your board? Please give dates as far as practicable.

"Answer 1. I am able, at this time, to send you facts concerning *ten* outbreaks of trichiniasis occurring in Michigan. In three of these the number of cases was not stated. In seven outbreaks there was a total of twenty-eight cases. The dates are given in most instances, in the report accompanying this.

"Question 2. In how many cases was there a microscopic identification of the trichinæ in the human subject and in the suspected meat?

"Answer 2. In two outbreaks the observer did not state whether any microscopic examination was made. It is believed that the human muscles were examined in five of the outbreaks, and in each of them trichinæ were found; in three of these it is positively known that trichinæ were found present. In seven outbreaks the pork was examined, and in each of the seven trichinæ were found in the pork. In the other outbreak, microscopic examination was made only of the muscles of the human subject, in which trichinæ were found.

"Question 3. How many of the cases were fatal?

"Answer 3. In one outbreak it was stated that there were no fatal cases; in one outbreak, where fatal cases occurred, the number was not stated; in one outbreak it was not stated whether any fatal cases occurred; in another outbreak, now in progress, one death has already occurred; and in six other outbreaks seven deaths were reported, making in all, in which the number was reported, eight deaths."

New Jersey.—The records of the State board of New Jersey extend from January 1, 1875, to date, a period of about nine years. During this period but one death from trichiniasis has been reported. This was in May, 1881, and was a female. The method by which the diagnosis was determined is not known.

New York.—The following report is furnished by the secretary of the board of health of New York City:

A few cases of alleged trichiniasis have come to the knowledge of the board, but there is no record of the number or dates.

In two families, during the past eighteen years, there has been, within the knowledge of this board, microscopic identification of trichinæ in the human subject.

During the past ten years five deaths attributed by attending physicians to trichiniasis have been reported to this board, one in 1875, one in 1878, one in 1880, and two in 1881.

The secretary of the board of health of Brooklyn, N. Y., says that five cases of trichiniasis have occurred in that city, of which a full history may be found in the proceedings of the Medical Society of Kings County for 1879.

North Carolina.—The secretary of the State board says that an equivocal case of trichiniasis occurred in Wilmington, in that State, but no microscopical examination was made. It was in the person of a boy of German parentage, habituated to using raw ham.

West Virginia.—The health officer of the city of Wheeling reports five cases—father, mother, and a child of same, aged two and one-half years, and two females of other families. All ate of same meat—raw, smoked ham—on March 4, 1870. No microscopic identification was made in the human subject.

Wisconsin.—The Secretary of the Wisconsin State board of health says that some cases of trichiniasis have occurred in Milwaukee, but does not give the number or dates.

CAUSE AND PREVENTION OF TRICHINÆ IN SWINE.

The worm known as the *trichina spiralis* has no stage of its existence outside of the animal body, and can not multiply or even remain alive for any considerable time, so far as has ever been ascertained, after it quits its host. Every infected animal must become infected either by eating the muscular tissue of another animal which has previously obtained the parasite in the same way, or possibly by taking food which has been soiled by the excrement of an animal recently infected. It is generally admitted that eating flesh which contains the parasite is the most frequent, if not substantially the only way in which trichinæ find their way into the body. A few cases have been advanced to show that pastures and feeding places may be infected and be dangerous for a considerable time; but, according to our present knowledge of the natural history of this parasite, it may be doubted if many instances of this kind occur.

When meat containing trichinæ is taken into the stomach the capsule or cyst which surrounds the worm is dissolved by the digestive liquids, the parasite is set free, develops into its mature form, the females are impregnated, and each give birth to one thousand or more young. The young trichinæ penetrate the intestinal walls and find their way into the various muscles of the body while the mature worms, and doubtless many of the young as well, are voided with the excrement. Now, it may be admitted that a large number of the mature parasites will be passed from the bowels before they have brought forth their young, and that if taken into the stomach of another animal the act of reproduction would continue; but it seems doubtful if enough of such mature worms would be consumed in this manner to cause any serious infections. We do not know, however, how long the worms are able to live outside of the body in this developed conditon; if they can exist but a few days the danger from them would be very slight, but if this period can be prolonged for weeks or months the danger would be more serious, and we might have at least a partial explanation of the many cases of infection occurring where the condition of life among the hogs seems to be all that could be desired.

The young trichinæ or larvæ which are produced in such enormous numbers in the intestines within a few days after infected meat has been eaten, and many of which are doubtless voided with the excrement, are practically incapable of dangerously infecting grounds or feeding places. These can not reproduce themselves until they have found their way into the muscular system, and have been encysted for a time, so that even a considerable number of such larvæ taken into the stomach would produce no appreciable effects.

In the present condition of knowledge the tendency is to conclude that by far the larger part of trichinous hogs are infected by eating the flesh of some animal which has previously been infected in the same way. Trichinæ can not develop or live for any considerable time in the bodies of insects, cold-blooded animals, or birds, and, consequently, the infection must result from some of the warm-blooded animals, which either habitually or occasionally eat flesh. Among these cats, rats, and mice are the ones most frequently suspected; but an inquiry into the conditions under which hogs are raised in the West has led us to doubt if the infection could occur in any considerable number of cases in this way. Hogs are usually kept in grass fields, where rats and mice are not common, and where cats certainly do not abound, and in no part of the hog-raising country is it a custom, so far as could be ascertained,

to run the hogs in corn-fields, where there would be an opportunity of their finding rats and mice.

It has been charged that there was a custom of feeding the hogs which died from disease to the well animals, and that this accounted for the trichinous infection. After an extensive investigation, however, we feel authorized to state that this assertion is not correct. Such a practice seems to have been followed to some extent a half dozen or more years ago, but as the contagious character of hog cholera became better understood, and as the demand increased for the cheap grease rendered from such dead animals, they were more generally sold to rendering establishments at a price considerably beyond what they would be worth for animal food. The trichinæ of to day must therefore be acquired from some other source than the hogs which die upon the farms.

The French and German authors have not hesitated to assume that our hogs were infected by feeding upon offal from the slaughter-houses, but this assumption could only have been made in complete ignorance of the actual condition of affairs in the hog-growing sections of the country. Practically all of the hogs which go to the packing-houses are raised upon farms miles, and generally hundreds of miles, from any large city where offal could be obtained, and they are never fed upon anything but vegetable food. The blood and offal at the large packing-houses is dried at a high temperature and sold for fertilizers, and is never fed to the hogs even in the stock-yards. The foreign microscopists have the proof of this in their own hands, if they would only give the matter a little consideration before accepting the absurd statements of ignorant and prejudiced parties.

During the killing season as many as 60,000 hogs are received at the Chicago stock-yards in a single day, and it is evident that it would be impossible to furnish accommodations for holding this enormous number for any considerable time before killing. Now the trichinæ which are found in American pork are in the vast majority of cases encysted, and for this condition to be reached time is required, and much more time than it is possible to hold hogs in the cities where alone offal for feeding them can be obtained. It is four weeks after infection before cysts are formed, and it is six weeks to two months before they reach the condition in which they are generally found by the microscopic examination of our meats. While we know from our own observation in all the cities where hogs are packed that the animals are not fed upon offal previous to killing, we have here in the condition of the trichinæ themselves the best and the most incontrovertible evidence that the animals were not infected by offal fed while they were held at the packing-houses before slaughter.

It is evident from what has just been said that we are unable at present to give a satisfactory explanation of the manner in which Western hogs become infected with trichinæ, for the conditions of life, at least so far as we were able to see, appear in the vast majority of cases to be all that can be desired. The infected hogs must be traced to the counties from which they come, and even to the farms on which they are raised, and the conditions studied as they exist on known infected premises before it will be possible to give a solution to this difficult question. And until this is done no effectual rules for prevention can be formulated farther than in a general way to recommend that the hogs have no access to any animal matter except what has been thoroughly cooked.

ORIGIN, NATURE, AND EXTENT OF SWINE PLAGUE OR HOG CHOLERA IN THE UNITED STATES AND EUROPE.

All cases of sickness among the hogs of this country, as a rule, are spoken of as cholera, and the deaths from all causes are grouped together in the statistics as the results of this disease. Hogs, however, like other animals, are subject to the various diseases which arise from meteorological conditions, from exposure, from improper food and surroundings, from parasites, and from injuries; but farmers are unable to discriminate between many of these conditions, and therefore all are classed together. There is no doubt that there exists an infectious malady of hogs, which at times is very destructive, and to which the term swine plague can be properly applied, but the statistics as at present compiled give an exaggerated idea of the ravages of this plague.

The disease known as hog cholera or swine plague appears to have had a comparatively recent origin in this country, and there is no direct evidence to show that it originated, or that it now originates, *de novo*. On the contrary, hogs were raised in large numbers under conditions substantially the same as now for many years before the appearance of this disease. It was not until some time between 1850 and 1860 that hog cholera, so called, first appeared in the States of North and South Carolina, Georgia, and Alabama, and then it was clearly traced to droves from Kentucky and Tennessee. If we go back a few years earlier we find the malady seems to have been unknown even in the Western States, and consequently there were many years during which our farmers enjoyed an immunity from this the principal infectious disease of the hog. Now, however, that the infection has been widely disseminated over the country there are many outbreaks which can not be traced to their origin, and hence the theory of its spontaneous generation becomes more and more popular with a large class of our population.

It is the old story over again which it seems must be fought out separately for each of the contiguous diseases.

Rinderpest was believed to arise spontaneously on the steppes of Russia until an investigation was made, and then it was found that the originating point drifted farther and farther toward the east, but could never be found. Lung plague for many years was said to occur spontaneously in many countries of Europe, but as more determined efforts were made to exterminate it and to trace the outbreaks to their origin there were fewer and fewer who accepted this belief, until now it has but a handful of adherents in the whole of Europe. Glanders was thought to arise very frequently from badly ventilated stables and overwork, but to-day he who was the most eminent advocate of the theory admits that these conditions are powerless to produce the disease unless the virus has been introduced from an affected animal. And this we believe is also true of swine plague. If it was unknown in America it has existed from time immorial in the various countries of Europe, and might easily have been introduced with the improved animals brought from there. Indeed, its appearance in this country dates from about the time when the first earnest efforts were being made to improve our hogs by infusing the blood of pure-bred animals from abroad; and the fact that this disease is known in at least one instance in recent years to have been imported in this way is sufficient evidence that the same may have occurred in earlier years.

The fact that hog cholera exists in a country is therefore no evidence

that the hogs are improperly fed or cared for; but it rather indicates that the people do not sufficiently appreciate its contagious character, and do not enforce sufficiently stringent measures in regard to it. The investigations made under the direction of the United States Department of Agriculture during the past five years have thoroughly convinced our hog growers that this trouble arises from contagion, and the precautions which they have observed to prevent the infection of their herds have had an extraordinary effect in lessening the amount of this disease. In fact, the malady has hardly existed in an epizootic form since 1879, and the comparatively few outbreaks which have occurred have been far apart and have not covered any great extent of territory. The ravages of the disease appear to be steadily decreasing, and it is believed that with the continued observance of the precautions against infection it will never again assume the importance that it has in the past.

There seem to be no accurate records of the extent of swine plague or hog cholera in any of the nations of Europe with the exception of Great Britain. That it is frequently very destructive in most parts of the continent is shown by the veterinary literature and by the recent attempts in France to confer immunity on the hogs by vaccination. In Great Britain a record is now published of the number of animals affected and the number which die, and we learn from this that during the first twenty-one weeks of the year 1883, 3,607 animals were attacked, and 731 died. As there are about eighteen times as many hogs in the United States as in Great Britain, this would be equivalent to about 65,000 cases here in the same time, providing our hogs were diseased in the same proportion. It is evident from these figures that the disease is by no means confined to the United States, and if it has caused more discussion here than abroad, this was occasioned by the determination of our farmers to learn some way of preventing its ravages.

The conditions under which our hogs are generally raised are so good that the origin of diseases can not be explained by them. They run upon large grass fields and are fed largely upon Indian corn and other vegetable food; and it is difficult to see how any substantial improvement can be made upon this mode of feeding.

It has been frequently suggested that our pork would be firmer and of better quality if part of the corn now fed were replaced with pease or similar concentrated food, containing a large proportion of nitrogenous constituents. That such a change would have a desirable effect upon the quality of the pork is scarcely to be doubted, for we know that mast-fed hogs, the nuts constituting the food of which contain but a very small proportion of nitrogenous matter, produce soft, oily meat, which shrinks very much more in cooking than corn-fed pork. The proportion of the nitrogenous to non-nitrogenous constituents in the nut which forms the food of the mast-fed hogs is about 1 to 15, in that of the corn-fed hogs it is about 1 to 8, and if a further change in this direction could be made until the nutritive ratio reached 1 to 6 the quality of the pork would, according to prevailing opinion among scientists, not only be improved, but the hogs would gain more rapidly in weight. Barley is said to make remarkably fine pork, and this is evidence in favor of the view just mentioned, for in this grain the nutritive ratio is 1 to $6\frac{1}{2}$. While, therefore, it is not necessary to recommend a change in the present manner of feeding on the ground of healthfulness alone, it is probable that a change in the direction suggested above would have a desirable influence on the hardiness of the animals, cause them to lay on

flesh more rapidly, and improve the quality of the pork. Whether such a change can be economically made or not is a question which every farmer will have to decide for himself.

RELATION OF SWINE PLAGUE TO HUMAN HEALTH.

While swine plague is a disease apparently common with the hogs of all nations, it has been brought forward, particularly in France, as one of the reasons for rejecting American pork. It has been asserted that the disease was communicable to mankind, that it is caused by a micro-organism, which develops spores, and in that state resists the most unfavorable condition for an indefinite time, and that our pork is dangerous to human health abroad because of infection with this parasite.

In regard to the first point there is no evidence that the two or three cases of diphtheria referred to as occurring in the West were produced by the ice from the creek where dead hogs had been thrown, or that this had any connection whatever with the malady affecting the animals. Diphtheria among children has become a very common disease in most parts of the country, and in most parts of the civilized world, in fact, and there was no more reason for concluding that these two or three isolated cases originated from swine plague than there would be in attempting to trace the measles and scarlet fever of the Western States to the same source.

In the second place, the disease is not caused by a bacillus, as was so confidently asserted, but by a micrococcus, which does not form spores, and this organism very soon loses its virulence outside of the living animal body, and is very sensitive to heat and other unfavorable conditions of existence. It is doubtful if this parasite could survive a single day in salted pork, and it is very certain that the slightest degree of cooking would destroy it, as it is unable to resist a temperature of 140° F. for fifteen minutes.

A review of all the evidence satisfies us that the virus of swine plague is not in the least degree injurious to human health. Both English and American investigators have frequently made post-mortem examinations of hogs dead from this disease, when cuts and abrasions upon their hands were covered with this virus in the most virulent form, and in no case has any discomfort resulted. It would seem that no more severe test could be made of the dangerous qualities of a virus than this, and in connection with the lack of evidence that any disease among people has ever originated from the sick or dead hogs it is sufficient to show the absurdity of such baseless rumors.

Again, it seems to be impossible for the flesh of diseased hogs to enter the market for human food. There are health officers in nearly all stock yards, whose duty it is to see that such animals are not killed for food. The skin and flesh of diseased animals is so discolored that it would be detected at once, either before or after curing; and packers are unanimous in their testimony that the meat of feverish or diseased animals can not be cured without its developing a disagreeable odor, which at once reveals its character. There are, consequently, many substantial reasons for asserting that the fears so vigorously expressed abroad in this connection are groundless, and that the trade inspections which every buyer has the privilege to order to be made by his own experts are sufficient to protect the consumer.

COST AND PRACTICABILITY OF INSPECTION.

Although many objections have been urged against the use of American pork, the only one of these that has sufficient weight to be used as a reason for prohibition is the fact demonstrated by microscopic examination that a small portion of our hogs contain trichinæ. The only form of inspection that can remove this cause of complaint and make our meat satisfactory to foreign governments is, therefore, a microscopic inspection of the hogs that are to be packed for shipment to those countries which have placed restrictions upon this trade. This would doubtless be an undertaking of considerable magnitude, considering the large number of animals to be examined; but there is nothing impossible about it. It is simply a question of expense. If the profits in shipping hogs to the countries are sufficient to pay the cost of inspection and leave a balance that will induce the trade, then it would undoubtedly be an advantage to the pork industry to establish such a system of inspection, providing this remains necessary to secure the admission of our pork products. We have already demonstrated that American pork without inspection is safer when it reaches Europe than are the native hogs which have undergone inspection there; and it is our opinion that this fact should be sufficient to secure the free admission of our pork to every part of the world without the expense of a microscopic examination. But if this free admission can not be obtained without such examination, then it would be desirable to consider if a microscopic inspection can be made practicable under the conditions which exist in this country, and particularly at the packing centers. The inspection need cause no delay in any of the processes of packing, since the carcasses in any case should be allowed to hang from twenty-four to forty-eight hours in the cooling room before cutting, and this would be amply sufficient for the inspection. It is probable that certain packers would make special arrangements for packing and shipping to countries that have now prohibited our pork as soon as they were assured that the inspection required by the United States Government could be made at a reasonable sum per head, and in guarantying the meat free from trichinæ would satisfy foreign governments and restore the trade.

CONCLUSION.

In conclusion, we would say that after carefully studying every circumstance that in any way affects the condition of the American swine, from the hour of their birth to the landing of the cured meat in foreign ports, we are free to say that our exported pork in all its forms is fully equal, perhaps superior, in its freedom from taint of every kind, either from disease or deterioration after slaughtering, to the pork of France or Germany, or any other country in which the hogs are confined within a narrow compass, and do not enjoy that free run and pasturage which they get in the hog-growing regions of the United States. There is no general prevalence of disease among swine in any portion of this country. Microscopic examinations show that here, as in all other countries, a small percentage of the swine is affected with trichiniasis; probably a smaller percentage than in the countries of Europe. That the occasional presence of trichinæ in our pork is a comparatively unimportant fact is shown by the rarity of trichiniasis among human beings, as indicated by the returns from the State and city boards of health. Another very important fact is the almost certain destruction of the trichinæ when present in pork by the curing process before it can be landed in

foreign countries. Nevertheless, while we believe that no legitimate grounds exist for the restrictions imposed in some foreign countries on the importation of American pork, we are satisfied that microscopic inspection of all pork for export can be secured at the packing-houses, if such inspection should be demanded, as we have already fully explained.

Respectfully submitted.

GEO. B. LORING,
E. W. BLATCHFORD,
C. F. CHANDLER,
F. D. CURTIS,
D. E. SALMON,
Commission.

No. 7.

Senate Report No. 345, Forty-eighth Congress, first session.

The Committee on Foreign Relations, to which was referred the resolution of the Senate of January 22, 1884, the first clause of which is as follows—

Resolved, That the Committee on Foreign Relations be instructed to inquire into and report to the Senate such legislation as shall protect our interests against those Governments which have prohibited or restrained the importation of meats from the United States—

has considered the foregoing, and begs leave to report herewith a bill which, in the opinion of the committee, contains the legislation necessary for the protection of the interests of the people of the United States in the matter embraced in that part of the resolution above quoted.

The facts and data upon which the committee has based its conclusions, as expressed in this bill, are for the greater part included in the three documents appended hereto, and made a part of this report, viz:

First. House Ex. Doc. No. 70, Forty-eighth Congress, first session, being a communication from the Secretary of State relative to the restrictions upon the importation of American hog products into Germany and France.*

Second. House Ex. Doc. No. 106, Forty-eighth Congress, first session, being the report of the commission appointed by the President "to examine into the swine industry of the United States and into the allegations as to the healthfulness of the pork products."†

Third. Report of the Chief of the Bureau of Statistics to the Treasury Department of February 12, 1884, "on the production of swine in the United States, and the interdiction of American hog products from France and Germany," etc.

Appended hereto is also a copy of a dispatch from the American minister at Paris to the honorable Secretary of State, dated February 8, 1884, transmitting a copy of the answers made by the French Academy of Medicine to the questions propounded by the French minister of commerce on the subject of the importation of foreign meats, which show that the academy voted, with but one dissentient voice, that "the importation of foreign salt pork may be fearlessly authorized by the French Government, as it is clearly proved that no danger to public health has been caused by such importation."

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*Inclosure No. 5.

† Inclosure No. 6.

The investigation which the committee has been able to make of this subject results in establishing to the satisfaction of the committee, among others, two important propositions or matters of fact.

First. That trichinæ do exist to a limited extent in swine throughout all swine-producing countries, and in the United States as well as others, but to a less degree than in Germany or France. The evidence shows that about 2 per cent. of American pork is infected by trichinæ.

Second. That the curing process of pork by salt destroys trichinæ to such a degree that pork thoroughly salted and permitted to remain long enough to become saturated with the salt, although infested with trichinæ, is innoxious.

Without entering upon an argument in respect to the propriety or expediency of a policy of retaliation as to those Governments which have discriminated, or may hereafter discriminate, without just reason against any class of American productions, the committee propose to briefly state the propositions of the bill.

First. It is proposed to institute at the principal ports of the United States a system of inspection of salted pork intended for exportation, and exported within sixty days next after the date upon which the same may have been salted and packed, so that the fact of the innoxious and wholesome character of the article shall be established by the best, highest, and most reliable proof.

Second. The President is to be authorized, at his discretion, to exclude from the United States, by proclamation, any product of any foreign state which, by unjust discrimination, prohibits the importation into such foreign state of any product of the United States.

Third. The importation into the United States of any adulterated or unwholesome food, or vinous, spirituous, or malt liquors, adulterated or mixed with any poisonous or noxious chemical, drug, or other ingredient injurious to health, is by the bill prohibited under proper penalties.

Fourth. The President is to be authorized, by proclamation, at his discretion, to suspend the importation of articles so adulterated from any country for such period of time as may be deemed sufficient to prevent the practice of such adulteration of articles intended for importation into the United States.

These are the measures which the committee deem necessary and adequate as a remedy for the evils comprehended in that part of the resolution which has been considered.

It is the intention of the committee to consider the second branch of the resolution and make report as early as practicable.

PRODUCTION OF SWINE IN THE UNITED STATES.

[Report by Joseph Nimmo, jr., Chief of the Bureau of Statistics, Treasury Department.

TREASURY DEPARTMENT,
Bureau of Statistics, February 12, 1884.

SIR: I have the honor to submit to you the following report in regard to the production of swine in the United States, and the transportation, home consumption, and exportation of hog products. This office has for several months been collecting and collating data upon these subjects, with the special object of meeting inquiries from various sources.

The subject of trichinæ and trichinosis has already been investigated and officially reported upon, in a somewhat exhaustive manner, by an officer of the Marine Hospital Service, a branch of the Treasury De-

partment, in compliance with a resolution of the Senate. The results of this investigation are hereinafter set forth.

The information recently obtained by this office touching the general subject of the present report has been secured chiefly through agencies at the command of this Department, viz, officers of the customs and persons employed as experts in connection with the internal-commerce branch of this bureau. In view of the fact that the Governments of Germany and France have interdicted the importation of American hog products into those countries, statements are hereunto appended showing somewhat in detail the commerce between the United States and those countries. The scope of the present work has been somewhat enlarged, and it has also been expedited and brought to a close at the present time, in compliance with a communication from the chairman of the Committee on Foreign Affairs of the Senate requesting the Secretary of the Treasury to transmit to that committee all such information at the earliest practicable moment.

Swine are raised in every State of the Union. According to the census, the number of hogs on farms in the United States increased from 25,134,569, in 1870, to 47,681,700, in 1880, an increase of 89.75 per cent.

The net weight of hogs annually slaughtered in the United States is estimated by Mr. J. R. Dodge, statistician of the Department of Agriculture, at 5,250,000,000 pounds,* and their value at $393,750,000. The annual exports of hog products from the United States during the last five years have averaged about 1,000,000,000 pounds, or about 19 per cent. of the production.

According to Mr. Charles B. Murray, editor of the Cincinnati Price-Current, a recognized authority upon such matters, the annual pork product of the United States is nearly one-half of the annual pork product of the world. (See Appendix A.)

The United States, however, by far surpasses every other country in the exportation of hog products. The growth of this trade is exhibited in the following table:

Value of the exports of hog products from the United States during each year ended June 30, from 1860 to 1883.

Year ended June 30—	Bacon and hams.		Pork.		Lard.		Total value.
	Pounds.	*Dollars.*	*Pounds.*	*Dollars.*	*Pounds.*	*Dollars.*	*Dollars.*
1860	25,844,610	2,273,768	40,956,680	3,132,313	40,289,519	4,545,831	9,951,912
1861	50,264,267	4,848,339	31,305,810	2,609,818	47,908,911	4,729,297	12,187,454
1862	141,212,786	10,290,572	61,830,910	3,980,153	118,573,307	10,004,521	24,275,246
1863	218,243,609	18,658,280	65,576,075	4,334,775	155,336,596	15,755,570	38,748,625
1864	110,886,446	12,323,327	63,519,400	5,828,030	97,190,765	11,260,728	29,412,085
1865	46,054,034	10,536,608	41,790,990	6,850,808	44,480,136	9,134,858	26,522,274
1866	37,588,930	6,269,796	30,056,788	4,788,484	30,110,451	5,970,651	17,028,931
1867	25,648,226	3,291,176	27,374,877	3,597,690	45,608,031	6,634,556	13,523,477
1868	43,659,064	5,476,998	28,690,133	3,267,652	64,555,462	9,427,831	18,172,481
1869	49,228,165	7,482,060	24,439,832	3,422,928	41,887,545	7,443,948	18,348,936
1870	38,968,256	6,123,113	24,639,831	3,253,137	35,808,530	5,933,397	15,309,647
1871	71,446,854	8,126,683	39,250,750	4,302,320	80,037,297	10,563,020	22,992,023
1872	246,208,143	21,126,592	57,169,518	4,122,398	199,651,660	20,177,619	45,426,519
1873	395,381,737	35,022,137	64,147,461	5,007,035	230,534,207	21,245,815	61,274,987
1874	347,405,405	33,383,908	70,482,379	5,808,712	205,527,471	19,308,019	58,500,639
1875	250,286,549	28,612,613	56,151,331	5,671,495	166,869,393	22,900,522	57,184,630
1876	327,730,172	39,664,456	54,195,118	5,744,022	168,405,839	22,429,485	67,837,963
1877	460,057,146	49,512,412	69,671,894	6,296,414	234,741,233	25,562,665	81,371,491
1878	592,814,351	51,752,068	71,889,255	4,913,657	342,766,254	30,022,133	86,687,858
1879	732,249,576	51,074,433	84,401,676	4,807,568	326,658,686	22,856,673	78,738,674
1880	759,773,109	50,987,623	95,949,780	5,930,252	374,979,286	27,920,367	84,838,242
1881	746,944,545	61,161,205	107,928,086	8,272,285	378,142,496	35,226,575	104,660,065
1882	468,026,640	46,675,774	80,447,466	7,201,270	250,367,740	28,975,902	82,852,946
1883	340,258,670	38,155,952	62,116,302	6,192,268	224,718,474	26,618,048	70,966,268

* Mr. Dodge estimates as the equivalent of this 4,725,000,000 pounds of cured meats and lard.

It appears that during the year ended June 30, 1881, the year of greatest exportation of hog products, the value of such exports amounted to $104,660,065, and stood third in the order of magnitude of exports from the United States, being exceeded only by breadstuffs and cotton.

At this point the fact must be clearly stated that the total exportation of hog products of the various kinds from the United States to foreign countries depends mainly upon the demand for home consumption, as such demand is related to the supply. This demand is the chief factor in the determination of prices. It was mainly the increasing home demand, with its consequent increase of prices in this country, which caused the total exports of bacon, hams, pork, and lard to great Britain to fall from 704,846,010 pounds, in 1880, to 363,357,222 pounds in 1883. Usually exportation falls off as prices in the United States appreciate, and *vice versa*. The general relation of prices in this country to exports is illustrated very clearly in the following table:

Calendar years—	Average price at Chicago of—		Total weight of bacon, hams, lard, and pork exported.
	Mess pork.	Lard.	
	Per barrel.	*Per 100 pounds.*	*Pounds.*
1878	$9 00	$6 75 1-6	1,138,109,904
1879	9 51	6 16 3-4	1,186,685,121
1880	13 06	7 40 1-6	1,333,049,082
1881	16 47 1-2	10 88 2-5	969,546,801
1882	19 42	11 47	651,109,210
1883	15 14 1-8	9 16 5-8	776,361,776
Six months—January to June, 1883	18 18 1-2	11 13 2-3	348,901,769
Six months—July to December, 1883	12 09 2-3	8 17 5-6	427,460,007

The high prices which have prevailed for Western hog products during the last four years have been very largely the result of the rapid growth of population in our Western and Northwestern States, with its constantly increasing demand for food.

Without going into any labored dissertation upon the point to which attention has here been directed, the fact will be clearly appreciated from the foregoing data and from subsequent statements that, although the home demand for hog products is the chief element in the determination of prices, yet that the foreign demand for such products constitutes always an exceedingly important element in the profitableness of the raising of swine in the United States, inasmuch as it provides markets for our surplus product. Open foreign markets are of special importance at times when, owing to an unusually large production in the United States, or to other causes, prices fall in this country. Foreign markets then serve to prevent a disastrous decline of prices. The recent fall of prices in the United States, and the consequent increased tendency towards the exportation of hog products to foreign countries, renders that trade a subject of great public interest at the present time.

As hereinafter shown, the exportation of hog products to foreign countries is of especial importance to the Western and Northwestern States of this country, and to the commercial and industrial interests which are connected with the pork trade in that section of the country.

The following table, compiled from data supplied by the Department of Agriculture, gives the number and value of the hogs on farms in each State and Territory in the year 1882, in the order of the magnitude of value:

Table showing the estimated number and value of hogs on farms in the United States during the year 1882, *stated in the order of magnitude of value.*

[From Special Report No. 56, Department of Agriculture.]

Order.	States.	Number of hogs.	Value of hogs on farms.
1	Iowa	5,107,445	$40,961,709
2	Illinois	3,970,764	29,621,899
3	Ohio	2,714,112	21,902,884
4	Missouri	3,892,920	21,644,635
5	Indiana	2,724,383	20,814,286
6	Kansas	1,984,646	17,008,416
7	Nebraska	1,526,823	12,153,511
8	Wisconsin	1,162,238	11,343,443
9	Tennessee	1,988,753	11,057,467
10	Kentucky	1,916,587	10,982,044
11	Pennsylvania	1,060,856	9,802,309
12	New York	744,238	8,156,848
13	Michigan	934,184	7,893,855
14	Texas	1,953,189	7,773,692
15	California	856,000	6,111,840
16	Georgia	1,412,604	5,706,920
17	North Carolina	1,311,821	5,444,057
18	Alabama	1,225,534	5,318,818
19	Arkansas	1,250,513	4,851,990
20	Mississippi	1,070,269	4,334,589
21	Virginia	773,864	4,147,911
22	Minnesota	424,057	3,159,225
23	New Jersey	214,688	2,737,272
24	Maryland	325,413	2,583,779
25	South Carolina	584,601	2,537,168
26	Louisiana	564,439	2,427,088
27	West Virginia	404,406	2,394,084
28	Massachusetts	80,908	1,157,793
29	Dakota Territory	109,600	965,576
30	Oregon	168,954	927,557
31	Florida	320,000	880,000
32	Vermont	74,864	873,663
33	Maine	71,416	847,708
34	New Hampshire	54,511	661,218
35	Connecticut	62,406	647,774
36	Delaware	46,740	364,572
37	Utah Territory	22,500	279,450
38	Washington Territory	50,300	272,626
39	Idaho Territory	23,600	259,600
40	New Mexico Territory	19,300	208,440
41	Rhode Island	14,405	192,883
42	Montana Territory	17,200	182,320
43	Colorado	12,100	140,118
44	Nevada	12,000	136,800
45	Arizona Territory	9,200	73,600
46	Wyoming Territory	735	7,784
	Total	43,270,086	291,951,221

From this table it appears that the State of Iowa stands first in the raising of swine; Illinois, second; Ohio, third; Missouri, fourth; Indiana, fifth; Kansas, sixth; Nebraska, seventh; Wisconsin, eighth; Tennessee, ninth; and Kentucky, tenth.

The annual hog product of quite a number of the States is less than the quantity of such products consumed therein, and the comparatively small surplus in certain other States is sold in home markets and consumed in this country.

The deficiency of such products in the various States and sections of this country is supplied almost entirely by the surplus product of the Western and Northwestern States.

By means of our unequaled system of internal transportation, pork products are carried from Chicago to New York, a distance of nine hundred miles, for only about one-third of a cent per pound. The rate from Saint Louis to New York is about the same. The average ocean charge from New York to Bremen during the last year was also about one-third of a cent per pound. On direct consignment hog products can

be shipped from Chicago or from Saint Louis to Bremen for a little more than one-half a cent per pound. The rates from Cincinnati to the seaboard and to Bremen do not differ materially from those above stated from Chicago and Saint Louis.

The existence of such facilities of transportation, in connection with the almost unlimited capacity of our Western and Northwestern States for the production of swine, has built up a great industry and a great trade, which are now seriously affected by the action of the Governments of Germany and France in forbidding the importation of American hog products into those countries.

PORK-PACKING AT THE WEST.

It is estimated by Mr. Charles B. Murray that 95 per cent. of the exports of hog-meats, 86 per cent. of the exports of lard, and 93 per cent. of the total exports of hog products from the United States during recent years, have consisted of the surplus products of the States of Ohio, Michigan, Indiana, Illinois, Kentucky, Tennessee, Missouri, Kansas, Nebraska, Iowa, Minnesota, and Wisconsin.

The pork-packing of the West for commercial purposes is carried on chiefly at the towns and cities mentioned in the following table, which shows the number of hogs packed at each point during the year ended March 1, 1883:

	No. of hogs.
Chicago, Ill	4,222,780
Kansas City, Mo	813,834
Saint Louis, Mo	532,180
Cincinnati, Ohio	507,316
Milwaukee, Wis	405,510
Indianapolis, Ind	388,417
Cedar Rapids, Iowa	327,163
Cleveland, Ohio	218,885
Saint Joseph, Mo	152,365
Omaha, Nebr	151,086
Louisville, Ky	143,393
Ottumwa, Iowa	121,554
Detroit, Mich	99,155
Des Moines, Iowa	90,871
Keokuk, Iowa	68,446
All other points	1,100,044
Total	9,342,999

From this it appears that 45 per cent. of the total number of hogs packed in the Western and Northwestern States are packed at Chicago.

[The fact must be carefully observed that the above table and the following tables, showing production, do not include the product of hogs slaughtered on farms and in villages for domestic consumption in the immediate localities where such slaughtering is done, nor, to any great extent, the slaughtering by city butchers for local consumption. The product of the pork-packing included in the above table is marketed in all parts of the United States, and also in foreign countries.]

The percentage which the exports of hog products from the United States constituted of the whole quantity packed at the West during the last ten years, is exhibited in the following tables compiled by Mr. Charles B. Murray, editor of the Cincinnati Price-Current:

Exports of pork, bacon, and hams for the years ended October 31, from 1873 to 1883, inclusive, as compared with the Western yearly production.

Year ending October 31—	Meats exported.			Production of meat.	Percentage exported.
	Pork.	Bacon and hams.	Total.		
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	
1873	63, 865, 821	415, 239, 087	479, 104, 908	968, 021, 941	49. 49
1874	66, 481, 132	332, 449, 497	398, 930, 629	914, 666, 521	43. 61
1875	57, 247, 971	264, 225, 246	321, 473, 217	927, 656, 785	32. 50
1876	57, 838, 184	388, 237, 246	446, 075, 430	991, 556, 881	44. 20
1877	68, 839, 674	444, 123, 016	512, 962, 690	1, 057, 421, 041	48. 51
1878	77, 262, 061	634, 678, 301	711, 940, 362	1, 401, 543, 129	50 80
1879	93, 324, 250	773, 305, 316	866, 629, 566	1, 578, 584, 510	54. 90
1880	94, 557, 703	778, 291, 729	872, 849, 432	1, 642, 118, 570	53. 15
1881	101, 460, 298	692, 676, 987	794, 137, 285	1, 551, 331, 161	51. 19
1882	69, 711, 127	374, 648, 953	444, 360, 080	1, 184, 421, 921	37. 52
1883	73, 181, 801	407, 099, 371	480, 281, 172	1, 380, 302, 000	34. 80

N. B.—The exports include products of pork-packing in Eastern cities each year.

Exports of lard for each of the following years ended October 31, compared with the Western yearly production.

Year ended October 31—	Lard exported.	Production of lard.	Percentage exported.
	Pounds.	*Pounds.*	
1873	234, 901, 511	247, 967, 565	94. 73
1874	184, 100, 226	222, 943, 684	82. 58
1875	167, 579, 377	226, 195, 822	74. 08
1876	198, 008, 212	243, 057, 560	81. 46
1877	237, 744, 307	259, 242, 066	91. 71
1878	345, 693, 527	365, 143, 000	94. 67
1879	343, 119, 208	424, 333, 030	80. 86
1880	405, 436, 658	415, 636, 942	97. 55
1881	335, 001, 686	400, 976, 439	83. 55
1882	239, 904, 657	308, 050, 355	77. 88
1883	273, 236, 610	344, 485, 000	79. 32

N. B.—The exports include products manufactured in Eastern cities each year.

Exports of pork, bacon, hams, and lard for each year ended October 31, compared with the Western yearly production.

Year ended October 31—	Production of meats and lard.	Total production exported.	Percentage exported.
	Pounds.	*Pounds.*	
1873	1, 215, 989, 506	714, 006, 419	58. 72
1874	1, 137, 610, 205	583, 030, 855	51. 25
1875	1, 153, 852, 607	489, 052, 594	42. 38
1876	1, 234, 614, 441	644, 083, 642	52. 17
1877	1, 316, 663, 107	750, 706, 997	57. 02
1878	1, 766, 686, 129	1, 057, 633, 889	59. 87
1879	2, 002, 917, 540	1, 209, 748, 774	60. 40
1880	2, 057, 755, 512	1, 278, 286, 090	62. 12
1881	1, 952, 307, 600	1, 129, 138, 971	57. 84
1882	1, 492, 472, 276	684, 264, 737	45. 84
1883	.....	753, 517, 782	.....

N. B.—The exports include products manufactured in Eastern cities each year.

From these tables it appears that during the year ended October 31, 1880—the year preceding the interdiction of American hog products from France and Germany—the exports of such products from the United States constituted 62.12 per cent. of the hog products of the

Western and Northwestern States for commercial purposes, and that the exports of pork, bacon, and hams constituted 53.15 per cent. of such products of those States.

In view of the foregoing statements, it is evident that the success of the pork-packing business of the West depends mainly upon the foreign trade. Any serious obstruction to this trade must very injuriously affect the agricultural interests of our Western and Northwestern States, and the commercial and industrial interests of the several cities which are largely engaged in the pork-packing business. Such obstruction must also in a marked degree affect the trade interests of the cities of New York, Boston, Philadelphia, and Baltimore, which, as shown in Appendix B, are the cities from which hog products are chiefly exported.

Appendices C, D, E, F, and G show, respectively, the exports of bacon, hams, pork, lard, and total hog products from the United States to each foreign country during the years ended June 30, 1881, 1882, and 1883.

THE INTERDICTION OF AMERICAN PORK PRODUCTS FROM FRANCE AND GERMANY.

The following table shows the value of the exports of bacon, hams, lard, and pork from the United States to France and Germany during the last nineteen years:

Value of bacon, hams, and pork exported to France and to Germany during each year from 1865 to 1883, inclusive.

Year ended June 30—	Exported to--	
	France.	Germany.
	Dollars.	*Dollars.*
1865	20,481	67,106
1866	5,209	3,610
1867	139,188	59,559
1868	257,992	89,391
1869	31,759	306,528
1870	7,142	177,071
1871	267,804	221,862
1872	1,150,737	1,708,576
1873	1,982,604	5,596,884
1874	985,480	3,071,738
1875	454,717	2,458,222
1876	435,505	2,053,137
1877	2,056,280	2,404,784
1878	4,203,991	2,251,169
1879	3,388,872	2,103,993
1880	3,953,259	1,865,858
1881	4,987,673	3,263,725
1882	468,675	432,426
1883	40,100	1,577,308

Appendix H shows the value of the exports of hog products of each kind from the United States to France and Germany during the ten years from 1874 to 1883, inclusive.

The regulations of the Governments of those countries in regard to such products relate exclusively to meats, viz, bacons, hams, salted pork, canned pork, and sausages, and not to lard.

Sausages and canned pork meats are also prohibited from being imported into either France or Germany from the United States, but the quantities of values of these two commodities can not be stated, as in

the returns made by customs officers such commodities are included in preserved and canned meats generally. Canned meats of all kinds are packed in large wooden cases, and it is difficult to ascertain whether their contents are pork or beef.

From the above table it will be seen that the exportation of bacon, hams, and pork to both France and Germany has been a trade of comparatively recent growth. Those engaged in the business at the great centers of the pork trade at the West were cultivating it by improvements in the modes of preparing and packing pork products, in order to meet the demand in those two countries, and its development to much larger proportions was confidently expected. Such expectations appeared to be justified by the fact that the total value of similar exports from the United States to Great Britain amounted during the year ended June 30, 1881, to $48,319,897.

GERMAN EDICTS IN REGARD TO AMERICAN PORK PRODUCTS.

On the 25th of June, 1880, the German Government issued an edict prohibiting the importation of American salted pork meats into that country. (See Appendix J.) This edict in terms exempted "bacon" and "hams;" but on the 21st of February, 1883, the German Bundesrath adopted a resolution prohibiting the importation of American hog-meat of every description into that country. Upon this point, attention is invited to a letter addressed to this office by Messrs. Armour & Co., of Chicago, under date of January 29, 1883. (See Appendix K.)

In a communication addressed to this office by the firm just mentioned, under date of February 2, 1884, it is stated that the exclusion of canned hog products from Germany is to them a serious cause of complaint.

That pork meats continued to be exported to Germany during the year ended June 30, 1883, was due to the fact above stated, that, until the edict of February 21, 1883, took effect, "bacon" and "hams" were admitted at the ports of that country, and also to the fact that American hog products are allowed to be entered at the ports of Hamburg and Bremen for exportation therefrom from foreign countries.

It appears, however, that the German Government favors, or at least permits, the use of American pork and other hog products by German seamen on board of German vessels trading at her ports.

For a while Hamburg and Bremen, which are free ports, admitted American hog products for consumption in those cities; but more recently they have—reluctantly, it is said—followed the example of the Imperial Government in pursuance of the policy "*si omnes consentiunt, ego non dissentio.*" A copy of the decree of the board of trade and navigation of the city of Hamburg is hereunto appended. (See Appendix L.)

Perhaps the most irritating feature of the restrictive measures adopted by Germany regarding American hog products is the fact that that country forbids the transportation of such products across her territory in transit and in bond to other countries, notwithstanding the fact that abundant provisions exist throughout Europe for the security of merchandise so transported over railroads.

THE FRENCH EDICT IN REGARD TO AMERICAN PORK PRODUCTS.

The French Government, on the 18th of February, 1881, prohibited the importation of all hog meats from the United States to that country. (See Appendix I.)

Prior to the interdiction of American hog products from France, that was a valuable and rapidly growing trade. The value of the exports of bacon, hams, and pork from the United States to France increased from $267,804, in 1871, to $4,987,673, in 1883. The American merchants and packers engaged in this trade regarded it as one of great promise, but, as stated, it has been utterly broken down.

Aside from the direct results of the action of Germany and France in regard to American hog products, it is believed that the moral effect of such action has worked serious injury to the agricultural interests of the Northwest and the commercial interests of the country, by creating a prejudice against American hog products, thus inducing other countries to take like action. Portugal appears to be among the latest to follow the example of France and Germany in this direction.

TRICHINÆ AND TRICHINOSIS.

Hog products in their various forms and in the different modes by which they are prepared as food by the culinary art, constitute articles of food for persons in all classes and conditions of life. It is a fact generally known that such products are especially suitable for food in the temperate and colder climates, and that the quantity thereof consumed during the summer months is much less than during the remainder of the year. An experience of centuries in many countries has proved pork meats to be a nutritious and sustaining article of food, especially for persons performing vigorous physical labor, and more particularly for those engaged in out-door employments.

The annual consumption of hog products in the United States amounts to about 4,200,000,000 pounds, or five times the quantity exported to all foreign countries. These products are also largely consumed in Great Britain and in the countries of Continental Europe, but not to the extent of their consumption in the United States.

Notwithstanding the fact that hog products are to a greater or less extent consumed by almost the entire population of the United States, the instances of deleterious results from their use as articles of food have been very few and isolated, and the evidences appear to be incontrovertible that all the cases of trichinosis which have occurred have been directly traceable to eating uncooked pork meats. There appears to be no authenticated case on record of trichinosis resulting from eating such meats when cooked. Trichinæ are said to be found in the flesh of many of the lower animals, and without any apparent impairment of their health. That these parasitic animalculæ are sometimes found in the hog appears simply to proclaim the fact that such products in an uncooked state are not proper articles of human food. It would appear, however, that this fact ought to be generally understood for other and manifest reasons.

It seems passing strange that canned hog products should be interdicted from any foreign country, for, as stated by Messrs. Armour & Co., of Chicago, the most extensive pork-packers in the United States, in a communication to this office, such products "are subjected for several hours to a temperature always above boiling point, and in many cases to 240° F., destroying all life beyond peradventure."

It is believed that a careful investigation would reveal the fact that the eating of a number of other staple articles of food causes more sickness and a greater number of deaths than does the eating of hog products.

Dr. Z. T. Sowers, a physician of large practice in the city of Washington, has stated it as his opinion that more sickness ensues and more deaths occur from eating fish and oysters in bad condition and stale vegetables than from eating unwholesome pork, and this opinion is confirmed by the chief health officer of New York City.

Attention is invited to a statement by Mr. Sidney D. Maxwell, superintendent of the Cincinnati Chamber of Commerce, and who has for several years been employed as an expert in connection with the internal-commerce branch of this office. (See appendix M.) In this statement Mr. Maxwell shows that swine for exportation are raised in this country under circumstances peculiarly favorable to their healthfulness. In regard to trichinæ in hogs, he says: "In this city (Cincinnati), which may be regarded as the home of pork packing in this country, where for well nigh half a century this has been a great industry, and where large quantities are consumed, there does not appear on the records a single well-authenticated case of trichinosis."

The secretary of the Illinois State Board of Health, in a report made January 18, 1884, says: "As a sanitarian, I regard the danger to human life from trichinæ as practically amounting to nothing, it being so easily prevented by thorough cooking."

Mr. George H. Morgan, secretary of the Saint Louis Merchants' Exchange, and Mr. Charles Randolph, secretary of the Board of Trade of Chicago, both employed as experts in connection with the internal-commerce work of this office, having recently given like testimony as to the wholesomeness of Western hog-meats, which, as before stated, constitute almost the entire exports of such meats to foreign countries. Mr. E. H. Walker, statistician of the New York Produce Exchange, under date of January 18, 1884, gives like testimony.

Dr. J. B. Hamilton, Supervising Surgeon-General of the Marine-Hospital Service of the United States, in a letter to this office, under date of February 1, 1884, states that the total number of persons treated by that Service during the last ten years was 234,353, and that the total number of deaths of persons under its care was 4,234; but that no case of trichinosis has been reported during that time, nor since the organization of the Service, notwithstanding the fact that seamen, the class of patients treated, subsist largely upon salt pork. (See Appendix T.)

No case of trichinosis has ever been reported in the District of Columbia. (See letter, under date of February 2, 1884, from Dr. Smith Townshend, health officer, Appendix U.)

From information just received from the chief health officers of the cities of Boston, New York, Philadelphia, and Baltimore, it appears that the total number of deaths in those cities during the last five years was 350,072, and that the number of deaths resulting from trichinosis was only six, viz, three in New York and three in Philadelphia. (See Appendix V.) This fact, in connection with a statement published by Mr. E. H. Walker, superintendent of the New York Produce Exchange, showing that during the last five years there were 14,701,236 live hogs received at the four cities above mentioned, almost all of which were consumed there, would appear to constitute conclusive evidence as to the healthfulness of American hog-meats. The chances of injurious results from the eating of pork meats appear to be infinitesimal, and to be limited to the condition of eating raw pork.

The foregoing facts appeal to the common sense of the country, and they can neither be re-enforced nor refuted by microscopic analyses.

It may be remarked, also, in this connection, that in various parts of Germany and France vigorous protests have been made, both by commercial bodies and by prominent individuals, against the interdiction of American pork meats upon the broad ground that no necessity exists for such measures, and that they are opposed to the true interests of the people of those countries. The monthly consular reports published by the Department of State furnish abundant evidence of this sort.

No city or State in this country has as yet, in the exercise of its police powers, attempted to restrain the use of pork meats, nor has any suggestion been raised in any part of the United States as to the need of any such action upon sanitary grounds or for any other reason. A line of policy of which such action might fairly be regarded as an example would paralyze commerce and arrest many important industries. Although in clearly-attested cases the disease known as trichinosis may have been traced directly to trichinæ in hogs, yet so few and far between have been those cases, and so clearly has the cause of the sickness which has ensued been traced to eating raw pork meats, that any attempt to restrain the use of hog products as human food would have become a subject of popular derision; for it would have been regarded as in the nature of an attempt to shield the people against their own indiscretion and against the accidents of life. In a word, the people of this country are fully convinced, from an experience long continued and almost universal, that no valid objection can lie against American hog products on account of their supposed unwholesomeness, and it is in the light of this conviction that the interdiction of such products from foreign ports is generally regarded.

The whole subject of the existence of trichinæ in hogs and the disease known as trichinosis has, however, already been fully considered and reported upon by another branch of the Treasury Department, with special reference to the grounds upon which the Governments of Germany and of France have excluded American hog products from those countries.

In compliance with a resolution of the Senate, the Secretary of the Treasury, on the 15th of December, 1880, transmitted to the President of the Senate a report on trichinæ and trichinosis, prepared under the direction of the Supervising Surgeon-General, by Assistant Surgeon W. C. W. Glazier, of the Marine-Hospital Service. Doctor Glazier's report was the result of an extended and thorough investigation of the literature of the subject. It was the most valuable treatise upon that subject which had appeared. He brought to his task abilities of a high order and attainments which gave him distinction as a scientist.*

He made such analyses as were necessary in order to determine the nature of the parasite known as trichina and the pathology and history of the disease known as trichinosis. He clearly proved by his historical researches that the disease had existed in Germany and France even so far back as the year 1830. This was long before it was known in the United States, and before American hog products were imported into France or Germany. Doctor Glazier showed, also, that great doubt exists as whether the cause of any of the more recent cases of trichinosis in Germany and in France is or is not traceable to the use of

*Dr. Glazier died of yellow fever at Key West, Fla., December, 12, 1880, while there engaged in the discharge of his official duties. In his death the public service lost one of its ablest and most efficient officers, and the profession to which he devoted his life lost one of its brightest ornaments.

American hog products. He stated, generally, that "whatever may be said of the number of trichinosed hogs found in the United States, the epidemics of Germany are almost uniformly traced to the ingestion of freshly-killed German pork." He also asserted that the occurrence of trichinosis in Germany has been directly traceable to eating raw pork in its various forms as smoked and salted meat.

The correctness of Doctor Glazier's conclusions is fully attested by the statements of consular officers of the United States in Germany and in France, and those conclusions are believed to be incontrovertible.

American hog products are largely consumed in the United States at the present time by more than two million persons of German birth, and probably by five or six million persons of German birth and parentage. Such products are also consumed in this country by a large number of persons born in France and their immediate descendants, and without injurious results. It seems strange, therefore, that these products should be regarded as unfit articles of food for the people of Germany and France residing in their own country.

It has been supposed that a considerable quantity of American pork finds its way into France and Germany through the ports of Great Britain. This appears to be a misapprehension, as the total weight of pork products of all kinds exported from the United States to Great Britain during the last three years amounted to 1,580,847,902 pounds, whereas the quantity of pork products of all kinds, both of foreign and colonial production, exported from Great Britain during the years 1880, 1881, and 1882 to France amounted to only 2,456,832 pounds, and the quantity exported to Germany to only 16,997,568 pounds. (See Appendix N.)

TRADE OF THE UNITED STATES WITH FRANCE AND GERMANY.

The interdiction of the importation of American hog products from France and Germany has given rise to inquiries in regard to the general subject of the commerce of the United States with those countries. In order to meet all of such inquiries, and at once, the following statements are presented.

TRADE OF THE UNITED STATES WITH FRANCE.

The following statement shows the total value of the commerce of the United States with France during each year from 1867 to 1883, inclusive:

Value of merchandise imported into the United States from France and of merchandise exported from the United States to France.

Year ended June 30—	Exports.		Total exports.	Imports.	Total imports and exports.
	Domestic.	Foreign.			
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1867	33, 834, 460	582, 706	34, 417, 166	29, 386, 239	63, 803, 405
1868	25, 890, 759	526, 232	26, 416, 991	25, 315, 605	51, 732, 596
1869	32, 747, 919	366, 489	33, 114, 408	30, 284, 531	63, 398, 939
1870	45, 053, 886	502, 361	45, 556, 247	42, 731, 138	88, 287, 385
1871	26, 482, 263	170, 345	26, 652, 608	28, 099, 279	54, 751, 887
1872	30, 939, 206	492, 912	31, 432, 118	43, 140, 156	74, 572, 274
1873	33, 220, 620	560, 886	33, 781, 506	33, 977, 200	67, 758, 706
1874	42, 326, 187	638, 124	42, 964, 311	51, 691, 896	94, 656, 207
1875	33, 172, 387	460, 340	33, 632, 727	59, 773, 148	93, 405, 875
1876	39, 022, 829	769, 873	39, 792, 702	50, 959, 577	90, 752, 279
1877	44, 098, 343	1, 041, 575	45, 139 918	47, 556, 292	92, 696, 210
1878	54, 289, 918	1, 029, 220	55, 319, 138	43, 378, 870	98, 698, 008
1879	88, 194, 041	1, 475, 586	89, 669, 627	50, 684, 601	140, 354, 228
1880	98, 899, 209	1, 173, 835	100, 063, 044	69, 344, 412	169, 407, 456
1881	89, 844, 100	4, 353, 351	94, 197, 451	69, 806, 375	164, 003, 826
1882	47, 401, 923	2, 608, 895	50, 010, 818	88, 897, 606	138, 908, 424
1883	55, 965, 191	2, 717, 032	58, 682, 223	97, 989, 164	156, 671, 387

From the foregoing table it appears that the exports of domestic merchandise from the United States to France fell from $98,899,209 in 1880, to $55,965,191 in 1883, a decrease of $42,934,018, or 43.4 per cent., but that the imports of merchandise into the United States from France rose from $69,344,412 in 1880, to $97,989,164 in 1883, an increase of $28,644,752, or 41.3 per cent.

Attention is invited to Appendix O, which shows, in detail, the exports of merchandise from the United States to France and the imports of merchandise from France into the United States during the year ended June 30, 1883, distinguishing between merchandise free of duty and dutiable.

The principal articles imported from France were, in the order of magnitude of value, as follows:

Order.	Commodities.	Value.	Free of duty or dutiable.
		Dollars.	
1	Manufactures of silk	22, 054, 666	Dutiable.
2	Wool, and manufactures of	*16, 299, 966	Dutiable.
3	Manufactures of cotton	8, 787, 412	Dutiable.
4	Wines, spirits, and cordials	6, 615, 577	Dutiable.
5	Leather, and manufactures of	†6, 238, 050	Dutiable.
6	Precious stones	3, 885, 191	Dutiable.
7	Silk, raw	3, 607, 958	Free.
8	Watches, watch-movements and materials	2, 166, 588	Dutiable.
9	Fancy goods	2, 075, 529	Dutiable.

* The value of raw wool included is only $706,857.
† The value of leather included is $4,506,206.

The imports of manufactures of silk goods, cotton goods, woolen goods; wines, spirits, and cordials; watches, watch-movements, and materials, and fancy goods from France compete with similar manufactures in the United States. According to the report of the secretary of the silk association of America for 1883 it appears that the percentage of silk goods manufactured in the United States, as compared with the whole consumption of such goods in the country, increased from 13 per cent. in 1860, to 38 per cent. in 1880. The total value of the manufactures of wool in the United States during the census year was $267,252,913; the total value of the manufactures of cotton goods was $210,950,383; the total value of the manufactures of leather was $454,969,870, and the total value of the manufactures of watches, watch-movements, and materials was $4,889,509.

Special inquiry has been made in regard to the imports of wine into the United States from France. The following table shows the imports of wine into the United States from that country during the last ten years:

Quantity of and value of wine imported from France into the United States during each year from 1864 *to* 1883, *inclusive.*

Year ending June 30—	In casks.		In bottles.		Total.
	Gallons.	*Dollars.*	*Dozens.*	*Dollars.*	*Dollars.*
1864	4,231,712	2,198,835	.....	.....	2,198,835
1865	1,147,025	367,518	*53,282	360,173	727,591
1866	5,891,720	1,639,447	*121,334	1,162,457	2,801,904
1867	5,288,587	1,728,031	*105,070	1,047,980	2,776,011
1868	3,533,273	1,201,712	*105,810	1,111,292	2,313,004
1869	4,123,561	1,299,133	262,748	1,791,803	3,090,936
1870	5,834,091	1,779,671	456,251	2,072,569	3,852,240
1871	6,205,516	1,726,408	281,590	1,022,751	2,749,159
1872	5,972,423	1,769,535	321,298	1,960,425	3,729,960
1873	6,216,064	1,976,048	347,625	2,068,794	4,044,842
1874	5,076,928	1,870,781	324,082	2,109,244	3,980,025
1875	4,226,886	1,540,624	307,617	1,887,119	3,427,743
1876	2,696,856	950,025	267,650	1,850,561	2,800,586
1877	2,726,803	951,055	237,842	1,613,417	2,564,472
1878	2,154,097	885,138	224,648	1,564,921	2,450,059
1879	2,294,775	947,767	184,083	1,363,697	2,311,464
1880	2,110,635	970,223	257,736	2,063,857	3,034,080
1881	1,942,379	979,870	286,995	2,491,085	3,470,955
1882	2,088,351	1,126,169	329,664	2,837,708	3,963,877
1883	2,511,982	1,349,617	417,642	3,946,239	5,295,856

* Sparkling wines only.

From this statement it appears that the total quantity of wine imported into the United States from France during the year ended June 30, 1883, amounted to about 3,514,323 gallons, the total value of which was $5,295,856. According to the estimate of Mr. Chas. Loeser, of New York, president of the Wine and Liquor Dealers' Association of the United States, the wine product of this country for the year 1883 amounted to 17,487,000 gallons. About $3,000,000 were collected from duties on wines imported into the United States from France during the year ended June 30, 1883.

TRADE OF THE UNITED STATES WITH GERMANY.

The following table shows the total value of the commerce of the United States with Germany during each year from 1867 to 1883, inclusive:

Value of merchandise imported into the United States from Germany and of merchandise exported from the United States to Germany.

Year ended June 30—	Exports.		Total exports.	Imports.	Total imports and exports.
	Domestic.	Foreign.			
	Dollars.	*Dollars.*	*Dollars.*	*Dollars.*	*Dollars.*
1867	20,578,510	1,489,668	22,068,178	26,581,208	48,649,386
1868	29,641,606	1,548,716	31,190,322	22,377,761	53,568,083
1869	36,924,931	958,321	37,883,252	25,087,987	62,971,239
1870	41,250,530	1,038,347	42,288,877	27,015,321	69,304,198
1871	34,352,022	638,385	34,990,407	25,093,635	60,084,042
1872	39,867,604	766,264	40,638,868	46,243,748	86,878,616
1873	60,124,410	1,465,637	61,590,047	61,401,756	122,991,803
1874	61,668,381	1,324,844	62,993,225	43,909,852	106,903,077
1875	49,232,648	1,233,377	50,466,025	40,247,712	90,713,737
1876	49,161,752	1,467,320	50,629,072	35,319,462	85,948,534
1877	57,456,120	651,313	58,107,433	32,509,365	90,616,798
1878	53,991,387	818,458	54,809,845	34,790,103	89,599,948
1879	56,164,394	892,851	57,057,245	35,519,818	92,577,063
1880	56,292,106	770,157	57,062,263	52,211,237	109,273,500
1881	68,858,571	1,329,681	70,188,252	52,989,181	123,177,433
1882	52,790,056	1,438,897	54,228,953	56,368,542	110,597,495
1883	64,340,490	1,829,439	66,169,929	57,377,728	123,547,657

Attention is invited to Appendix P, which shows in detail the articles of merchandise exported from the United States to Germany, and the imports of merchandise from Germany into the United States, during the fiscal year ended June 30, 1883.

The chief articles imported from Germany during the year were, in the order of magnitude of value, as follows:

Order.	Commodities.	Value.	Dutiable or free of duty.
		Dollars.	
1	Manufactures of cotton	8, 710, 077	Dutiable.
2	Wool, and manufactures thereof	*6, 497, 999	Dutiable.
3	Manufactures of silk	4, 227, 109	Dutiable.
4	Iron and steel, and manufactures thereof	3, 158, 973	Dutiable.
5	Leather and manufactures thereof	†3, 114, 981	Dutiable.
6	Buttons and button materials	2, 332, 090	Dutiable.
7	Fancy goods	2, 006, 684	Dutiable.

*The value of the wool imported from Germany amounted to only $8,960; the value of the imports of manufactures of wool from that country having been $6,489,039.

†The value of leather imported from Germany was $1,104,909, and the value of manufactures of leather, $2,010,072.

The imports of all the manufactured commodities mentioned in the foregoing schedule to a greater or less extent came into competition with similar articles manufactured in the United States.

The quantity and value of wine imported from Germany into the United States during each year from 1864 to 1883, inclusive, is shown in Appendix Q.

Attention is also invited to the following documents appended hereunto:

(*a.*) The American pork question; a letter addressed to the Minister of Foreign Affairs of France by Leon Chotteau, a citizen of that country. (See Appendix R.)

(*b.*) A letter addressed to the Chief of the Bureau of Statistics by Dr. Emmons Clark, secretary of the Health Department of New York city. (See Appendix X.)

(*c.*) A statement showing the duties imposed by the French and German Governments upon hog products when imported into those countries. (See Appendix Y.)

(*d.*) A statement by Mr. Charles Randolph, secretary of the Board of Trade of Chicago, in regard to prices and the exportation of hog products to foreign countries. (See Appendix W.)

I am, sir, very respectfully, yours,

JOSEPH NIMMO, JR.,
Chief of Bureau.

Hon. CHAS. J. FOLGER,
Secretary of the Treasury.

APPENDIX A.

THE WORLD'S SUPPLY OF SWINE.

The following table is taken from the Cincinnati Price-Current, published by Mr. Charles B. Murray, and shows the number of swine reported in the United States in 1883, in the United Kingdom in 1882, and in other countries having 100,000 or more in 1880:

Countries.	Number.	Per cent. of total.
United States	43,270,000	47.05
Russia	10,332,000	11.23
Germany	7,324,000	7.96
Austro-Hungary	6,995,000	7.61
France	5,801,000	6.31
Spain	4,352,000	4.73
United Kingdom	3,940,000	4.28
Switzerland	2,000,000	2.18
Italy	1,564,000	1.70
British North American Provinces	1,419,000	1.54
Roumania	837,000	.91
Portugal	717,000	.78
Belgium	602,000	.65
Australia	567,000	.62
Denmark	504,000	.55
Sweden	426,000	.46
Holland	352,000	.38
Argentine Republic	342,000	.37
New Zealand	207,000	.28
Greece	180,000	.20
Cape of Good Hope	132,000	.14
Norway	101,000	.11
Total	91,964,000	100.00

APPENDIX B.

Value of the exports of hog products from the principal and all other ports of the United States during the years ended June 30, 1881, 1882, and 1883.

Ports.	Years.		
	1881.	1882.	1883.
Baltimore, Md	$5,910,910	$784,468	$1,117,261
Boston and Charlestown, Mass	19,042,646	14,942,708	10,307,310
New York, N. Y	69,558,806	54,427,578	47,695,921
Philadelphia, Pa	6,034,147	8,345,754	6,321,269
Portland and Falmouth, Me	770,919	750,760	779,456
Port Huron, Mich.*	2,156,530	2,037,578	3,426,461
All other ports	1,186,107	1,564,100	1,318,590
Total	104,660,065	82,852,946	70,065,268

* The exports from Port Huron were to Canada.

APPENDIX C.

Value of the exports of domestic bacon from the United States to each one of the principal foreign countries for the years ended June 30, 1881, 1882, *and* 1883.

Countries.	Years.		
	1881.	1882.	1883.
Great Britain and Ireland	$38,651,946	$38,318,699	$26,845,784
Germany	2,982,852	295,856	1,374,432
Belgium	4,583,807	1,696,150	1,239,123
British North American Possessions	728,201	704,987	938,364
Denmark	458,181	163,382	644,545
Sweden and Norway	457,666	.....	562,618
Netherlands	555,241	236,969	289,516
Cuba	342,113	240,745	284,202
British West Indies	22,669	28,086	31,181
All other	4,732,305	439,728	72,986
Total	53,616,981	42,124,602	32,282,751

APPENDIX D.

Value of the exports of domestic hams from the United States to each one of the principal foreign countries for the years ended June 30, 1881, 1882, *and* 1883.

Countries.	Years.		
	1881.	1882.	1883.
Great Britain and Ireland	$5,853,920	$3,516,799	$4,670,603
Cuba	251,486	227,933	319,052
British North American Possessions	175,666	248,534	268,583
Germany	172,655	44,924	94,851
Porto Rico	58,355	65,128	83,241
British West Indies	71,604	85,284	79,836
Belgium	348,348	83,472	59,384
British Guiana	25,469	29,671	31,697
Mexico	15,718	21,444	29,597
United States of Colombia	16,723	19,654	29,028
Hawaiian Islands	15,088	19,629	28,320
Venezuela	35,013	18,875	27,734
Hayti	29,927	25,682	22,809
Netherlands	37,765	10,006	19,773
All other	436,487	135,937	108,692
Total	7,544,224	4,551,172	5,873,201

APPENDIX E.

Value of the exports of domestic pork from the United States to each one of the principal foreign countries for the years ended June 30, 1881, 1882, *and* 1883.

Countries.	Years.		
	1881.	1882.	1883.
British North American Possessions	$1,782,933	$2,302,915	$2,274,792
Great Britain and Ireland	3,814,031	2,470,131	1,533,896
British West Indies	592,799	596,537	644,518
Hayti	979,307	693,960	570,061
British Guiana	161,765	289,661	247,381
Porto Rico	197,224	211,460	206,522
Dutch Guiana	62,154	84,126	117,870
Cuba	90,967	89,668	113,268
Germany	108,218	92,546	108,025
British Honduras	42,627	43,510	63,260
French West Indies	78,522	41,938	56,588
United States of Colombia	23,262	30,789	49,693
Danish West Indies	37,100	34,570	28,871
Miquelon, Langley, &c	19,349	22,953	25,117
Central American States	8,442	14,622	18,304
All other	273,585	181,884	134,102
Total	8,272,285	7,201,270	6,192,268

APPENDIX F.

Value of the exports of domestic lard from the United States to each one of the principal foreign countries for the years ended June 30, 1881, 1882, *and* 1883.

Countries.	Years.		
	1881.	1882.	1883.
Great Britain and Ireland	$10,808,193	$9,407,757	$7,941,529
Germany	8,018,932	6,255,827	4,867,142
France	5,567,030	3,699,876	3,727,926
Cuba	2,449,865	1,673,650	2,471,774
Belgium	2,913,709	2,398,716	1,723,355
British North American Possessions	662,028	663,522	1,444,177
United States of Colombia	408,867	852,083	729,037
Denmark	963,044	751,416	684,410
Netherlands	800,986	513,110	521,873
Brazil	547,679	491,252	468,874
Venezuela	405,476	416,662	322,532
Porto Rico	250,496	280,925	298,977
British West Indies	248,144	268,363	248,161
Hayti	170,014	151,398	181,399
Mexico	132,597	145,293	163,797
French West Indies	77,803	78,458	88,354
Peru	19,089	137,595	70,044
British Guiana	61,030	78,156	64,865
All other	721,593	711,843	599,322
Total	35,226,575	28,975,902	26,618,048

APPENDIX G.

Value of the exports of hog products from the United States to each one of the principal foreign countries for the years ended June 30, 1881, 1882, *and* 1883.

Countries.	Years.		
	1881.	1882.	1883.
Great Britain and Ireland	$59, 128, 087	$53, 713, 386	$40, 991, 812
Germany	11, 282, 657	6, 691, 253	6, 444, 450
British North American Possessions	4, 284, 044	4, 898, 228	5, 929, 612
France	10, 554, 703	4, 168, 551	3, 768, 026
Cuba	3, 134, 431	2, 231, 996	3, 188, 297
Belgium	7, 860, 483	4, 226, 755	3, 035, 428
Denmark	1, 434, 211	915, 608	1, 328, 955
Netherlands	1, 404, 486	770, 348	848, 388
Sweden and Norway	561, 719	....	567, 278
All other	5, 015, 244	5, 236, 821	4, 864, 022
Total	104, 660, 065	82, 852, 946	70, 966, 268

APPENDIX H.

Quantities and values of exports of hog products from the United States to France and Germany during each year from 1874 *to* 1883, *inclusive.*

FRANCE.

Year ended June 30—	Bacon and hams.		Lard.		Pork.		Total.	
	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.	Pounds.	Value.
1874	11, 5[illegible]0, 574	$959, 851	9, 937, 387	$882, 513	379, 108	$2[illegible], 629	21, 867, 069	$1, 867, 993
1875	3, 916, 811	382, 908	6, 437, 958	897, 730	724, 075	71, 809	11, 078, 844	1, 352, 447
1876	3, 484, 772	412, 114	10, 059, 487	1, 346, 504	221, 199	23, 391	13, 765, 458	1, 782, 009
1877	23, 167, 236	2, 041, 520	23, 788, 669	2, 462, 330	179, 500	14, 760	47, 135, 405	4, 518, 610
1878	55, 280, 429	4, 161, 468	50, 465, 990	4, 274, 074	599, 969	42, 523	106, 346, 388	8, 478, 065
1879	53, 593, 720	3, 248, 214	42, 360, 456	2, 877, 630	2, 168, 614	140, 658	98, 122, 390	6, 266, 502
1880	66, 357, 041	3, 848, 930	55, 462, 701	3, 941, 971	1, 608, 545	104, 329	123, 428, 287	7, 895, 230
1881	68, 105, 887	4, 855, 932	61, 908, 551	5, 567, 030	1, 896, 969	131, 741	131, 911, 407	10, 554, 703
1882	5, 350, 311	445, 719	31, 610, 618	3, 699, 876	257, 574	22, 596	37, 218. 503	4, 168, 551
1883	252, 891	29, 246	31, 794, 241	3, 737, 926	109, 400	10, 854	32, 156, 532	3, 768, 026

GERMANY.

1874	30 917, 017	$2, 918, 849	64, 436, 920	$5, 967, 604	1, 961, 028	$152, 889	97, 314, 965	$9, 039, 339
1875	21, 269, 791	2, 384, 587	49, 873, 431	6, 589, 229	757, 133	73, 635	71, 900, 355	9, 047, 451
1876	16, 146, 245	1, 959, 757	47, 894, 522	6, 242, 432	845, 686	93, 380	64. 886, 453	8, 295, 569
1877	23, 715, 093	2, 286, 914	58, 038, 751	6, 108, 520	1, 251, 166	117, 870	83, 005, 010	8, 513, 304
1878	28, 022, 987	2, 201, 208	85, 419, 191	7, 419, 237	702, 900	49, 961	114, 145, 078	9, 670, 406
1879	37, 508, 897	2, 051, 712	89, 710 334	6, 163, 503	919, 817	52, 281	128, 139, 048	8, 267, 496
1880	26, 843, 862	1, 786, 494	85, 509, 288	6, 379, 394	5, 259, 417	79, 364	113. 612, 667	8, 245, 752
1881	41, 549, 770	3, 155, 507	88, 127, 893	8, 018, 932	1, 455, 646	108, 218	131, 133, 309	11, 282, 657
1882	3, 380, 356	339, 880	55, 467, 728	6, 255, 827	1, 109, 000	92, 546	59, 957, 084	6, 688, 253
1883	14, 708, 835	1, 469, 283	41, 872, 915	4, 867, 142	1, 146, 662	108, 025	57, 728, 409	6, 444, 450

APPENDIX I.

THE PRESIDENT OF THE FRENCH REPUBLIC ON THE REPORT OF THE MINISTER OF AGRICULTURE AND OF COMMERCE.

In view of the advice of the consultative committee of public hygiene of France, considering that the introduction into France of salt pork notoriously infected with trichinæ, presents great dangers to the public health, decrees:

ARTICLE 1. In all the territory of the French Republic the importation of salt pork coming from the United States of America is forbidden.

ARTICLE 2. The minister of agriculture and of commerce and the minister of finances are charged, each in that which concerns him, with the execution of the present decree, which will be inserted in the Journal Official and published in the Bulletin des Lois.

Done at Paris, February 18, 1881.

JULES GRÉVY.

By the President of the Republic:
P. TIRARD,
Minister of Agriculture and Commerce.
J. MAGNIN,
Minister of Finances.

APPENDIX J.

DECREE OF JUNE 25, 1880, REGARDING THE PROHIBITION OF THE IMPORTATION OF PORK AND SAUSAGES INTO GERMANY FROM AMERICA.

We, William, by the grace of God Emperor of Germany and King of Prussia, &c., decree, in the name of the empire, the consent of the federal council having been obtained, as follows:

§ 1. The importation of chopped or in a similar manner divided or otherwise prepared pork and of sausages of all kinds from America is prohibited until further notice. This prohibition does not include the importation of hams and bacon.

§ 2. The imperial chancellor is authorized to make exceptions to this prohibition and to adopt the measures necessary for this purpose.

§ 3. This decree takes effect on the day of its publication.

Witnessed under our high signature and the affixed imperial seal.

Given, Bad Ems, the 25th day of June, 1880.

[SEAL.]
[SEAL.]

WILLIAM.
PRINCE v. BISMARCK.

APPENDIX K.

CHICAGO, *January* 29, 1884.

DEAR SIR: We are in receipt of your esteemed favor of the 26th instant, with inclosures, and have given them our careful attention. Our experience proves that bacon and hams, as well as pork, are actually excluded from both France and Germany. There is not, so far as we know, any restriction on the importation of American lard into France or Germany. As to the French edict, referring only to salted meats, we may say the prohibition has, to our knowledge, been operative against all other forms of hog product (lard excepted) not covered by the expression "salted meats." The term pork, as used in the edicts, is, in our opinion designed to cover more than the commodity known here as "pork," and really includes "bacon" and "hams." Such certainly is the interpretation which those intrusted with the execution of the respective edicts have seen fit to put upon it.

To come to the next point in your letter, we would say that the German prohibition applies equally to Bremen and Hamburg with the rest of the empire, so far as consumption in these cities is concerned, but it is permitted to ship all hog products to Bremen and Hamburg, provided these ports are used merely as points of transshipment to other countries.

There is no doubt that the direct effect of the French and German prohibitions was mitigated and at times entirely neutralized by commercial causes, and that the high prices ruling here, as a consequence, presumably, of reduced production of hogs in the United States, encouraged an increased production in the countries excluding our product. It is very difficult, therefore, to state or to show just what loss was inflicted

on our trade by the action of France and Germany; but that it has suffered, and materially, too, we have no doubt. Neither do we doubt that the action of these countries has created in some other counties a decided prejudice against American hog products, and has influenced other countries (of which Portugal is the latest example) to imitate their prohibitory policy.

We shall await your report with patience, and shall deem it fortunate if what little information we have been able to impart conduces in your hands to the result which we desire, viz, the final recall of the prohibitory edicts.

Yours, very respectfully,

ARMOUR & CO.

JOSEPH NIMMO, Jr., Esq.,
Chief of Bureau of Statistics, Washington, D. C.

APPENDIX L.

EDICT OF THE BOARD OF TRADE AND NAVIGATION OF HAMBURG RESPECTING THE IMPORTATION OF AMERICAN HOG PRODUCTS AT THAT PORT.

Notice respecting the prohibition of the import of pigs, pork, bacon, and sausages of American origin.

The masters of vessels arriving at this port having on board, as cargo or provisions, pigs, pork, bacon, and sausages of American origin are hereby informed that such import is prohibited, and that goods of that description being of other than American origin, are only allowed to be discharged with the permission of the proper authorities (Declarations-Bureau).

Pork and bacon of American origin which are intended for re-export to foreign countries, or as provisions for seagoing vessels lying in this harbor, may be discharged under the direction and superintendence of the proper authorities (Administration of the Quay).

The masters, who are also responsible for their crews, are recommended to inform themselves at their arrival here from their agents or brokers as to the strict observation of the directions under which pigs, pork, bacon, and sausages may be landed. For neglecting to do so, they incur heavy penalties and the confiscation of the goods discharged without permission.

Hamburg, the 21st of April, 1883.

THE BOARD OF TRADE AND NAVIGATION.

APPENDIX M.

STATEMENT MADE BY MR. SIDNEY D. MAXWELL, SUPERINTENDENT OF THE CHAMBER OF COMMERCE OF CINCINNATI, TO THE CHIEF OF THE BUREAU OF STATISTICS, IN REGARD TO THE QUALITY OF AMERICAN HOG PRODUCTS, IN A LETTER DATED JANUARY 21, 1884.

The hogs of this country are generally raised under circumstances the most favorable to produce healthy meats. They are almost universally allowed to range at large in the fields and wooded lands, where they have ample air and water. They are fattened from corn, and under the rules of the Chamber of Commerce of this city, only meats from corn-fed hogs are recognized as regular. The circumstances under which pork is produced are such as to reduce the liability to diseased meats to the minimum. So remote a possibility is this, that in this city, which may be regarded as the home of pork-packing in this country, where for well-nigh half a century this has been a great industry, and where large quantities are consumed, there does not appear on the records a single well-authenticated case of trichinosis. In relation to the hog cholera, it may be remarked that it is well known to hog-raisers that cholera usually attacks the young swine, which are not such as are acceptable to our packers, who use the heavy hogs; and where there is an exception to this rule, the packers are aware that meat made from diseased hogs will not only not cure properly, but will contaminate good meats; so that if a curer were prompted by no other than a mercenary motive, the public would find the amplest protection against bad meats from this cause. Under our municipal regulations we have regular inspectors, whose duty it is to visit the stock-yards and slaughter-houses daily, with a view to protecting the

public against hogs being slaughtered for food that are diseased. Hogs that die from disease go to the desiccating companies, whose wagons are alone authorized to remove them. The work of our packing houses is done in an open and public manner, and under the most improved methods for killing the animals and handling and curing the meats. Then, at last, if meats were sought to be cured from hogs diseased, bruised, or maimed, they would be liable to be detected by our inspectors of meats. I doubt if in the whole range of articles of human food of large consumption there is a better record than that which is furnished by the curers of hog product. I say this much, because in my statistical work I have good opportunities for knowing something about the matters involved in the discussion, and because your inquiry and my relations to your Department have made it suitable for me to go beyond the immediate bounds of your inquiry. It is not difficult to see that the outcry against the meats made from the hogs of this country is the result of ignorance in relation to the subject, or because foreign governments have sought to protect themselves against the growing commercial and industrial importance of this country by resorting to a miserable subterfuge; and the former with all the agitation since the foreign raid against the hog product of this country was inaugurated and with the opportunities of information which existed at this stage of the inquiry, seems so improbable as to be unworthy of consideration.

Yours, very truly,

SIDNEY D. MAXWELL,
Superintendent.

APPENDIX N.

Quantities and values of exports from Great Britain and Ireland of pork products of foreign and colonial production, to France and Germany during each year from 1873 *to* 1882, *inclusive.*

[From the annual statement of the trade of the United Kingdom.]

TO FRANCE.

Year ended December 31—	Bacon.		Hams.		Lard.		Pork, salted.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
	Pounds.		*Pounds.*		*Pounds.*		*Pounds.*	
1873	3,708,768	$308,127	219,520	$26,902	556,192	$50,018	.....	.....
1874	2,124,976	173,510	89,712	12,531	343,056	36,966	.....	.....
1875	.....	.....	145,264	23,345	.....	.....	.....	.....
1876	1,105,776	113,020	370,496	53,298	712,208	87,996	.....	.....
1877	2,257,136	183,769	818,944	99,715	670,544	71,382	.....	.....
1878	1,118,208	79,509	977,536	109,686	125,664	12,122	.....	.....
1879	867,552	57,128	688,912	75,333	.....	.....	.....	.....
1880	757,904	59,206	729,568	90,040	.....	.....	.....	.....
1881	.....	.....	498,176	78,623	.....	.....	.....	.....
1882	288,960	40,329	182,224	33,126	.....	.....	.....	.....

TO GERMANY.

1873	1,892,464	$230,906	95,760	$11,972	2,907,520	$265,078	148,064	$11,811
1874	1,179,024	100,610	.....	.....	1,734,320	205,887	.....	.....
1875	.....	.....	.....	.....	973,616	119,015	.....	.....
1876	541,072	49,667	.....	.....	1,899,296	205,349	.....	.....
1877	.....	.....	.....	.....	1,130,528	117,823	.....	.....
1878	.....	.....	.....	.....	2,231,488	173,009	.....	.....
1879	1,971,312	114,650	.....	.....	3,391,024	217,946	.....	.....
1880	4,268,320	337,842	216,272	26,196	3,458,896	284,491	.....	.....
1881	2,443,728	226,852	.....	.....	3,452,288	400,036	.....	.....
1882	489,328	45,998	.....	.....	2,668,736	341,181	.....	.....

APPENDIX O.

Commerce of the United States with France during the year ended June 30, 1883.

IMPORTS OF MERCHANDISE FROM FRANCE.

[n. e. s.: Not elsewhere specified.]

Order of magnitude.	Articles.	Quantities.	Values.
	FREE OF DUTY.		
1	Silk, raw ..... lbs..	671, 330	$3, 607, 958
2	Argols ..... lbs..	9, 776, 538	1, 647, 523
3	Hides and skins, other than fur	.....	1, 260, 717
4	Chemicals, drugs, dyes, and medicines, n. e. s	.....	515, 433
5	Bolting-cloths	.....	395, 329
6	Wood, unmanufactured	.....	299, 675
7	Articles, the produce or manufacture of the United States, brought back	.....	291, 601
8	India-rubber and gutta-percha, crude ..... lbs..	205, 612	187, 545
9	Household and personal effects and wearing apparel, old and in use, of persons arriving from foreign countries	.....	170, 941
10	Oil, volatile or essential ..... lbs..	150, 996	118, 715
11	Paper materials ..... lbs..	2, 887, 252	112, 058
12	Paintings, statuary, and other works of art of American artists	.....	80, 223
	All other free articles	.....	1, 944, 952
	Total free of duty	.....	10, 632, 670
	SUBJECT TO DUTY.		
1	Silk, manufactures of:		
	Dress and piece goods	.....	13, 233, 887
	Other manufactures of	.....	8, 820, 779
	Total	.....	22, 054, 666
2	Wool, and manufactures of:		
	Unmanufactured ..... lbs..	5, 798, 992	706, 857
	Dress goods ..... sq. yds..	44, 974, 881	10, 885, 227
	Cloths and cassimeres	.....	2, 155, 363
	Shawls	.....	497, 350
	Other manufactures, n. e. s	.....	2, 055, 169
	Total	.....	16, 299, 966
3	Cotton, manufactures of	.....	8, 787, 412
4	Wine, spirits, and cordials:		
	Spirits and cordials, in casks ..... proof galls..	345, 776	803, 004
	Spirits and cordials, in bottles ..... doz..	79, 127	516, 717
	Wine, in casks ..... galls..	2, 511, 982	1, 349, 617
	Wine, in bottles ..... doz..	417, 642	3, 946, 239
	Total	.....	6, 615, 577
5	Leather, and manufactures of:		
	Leather of all kinds ..... lbs..	6, 828, 225	4, 506, 206
	Gloves of kid and all other skin or leather ..... doz. pairs..	251, 464	1, 488, 423
	Other manufactures of	.....	243, 421
	Total	.....	6, 238, 050
6	Precious stones	.....	3, 885, 191
7	Watches, watch movements, and materials	.....	2, 166, 588
8	Fancy goods	.....	2, 075, 529
9	Paintings, chromo-lithographs, photographs, and statuary, n. e. s	.....	1, 623, 582
10	Furs and dressed fur-skins	.....	1, 594, 484
11	Earthen, stone, and china ware	.....	1, 382, 046
12	Fruits of all kinds, including nuts	.....	1, 250, 748
13	Buttons of all kinds, including button materials partly fitted for buttons exclusively	.....	1, 227, 711
14	Flax, manufactures of	.....	1, 196, 984
15	Straw and palm-leaf, manufactures of	.....	1, 084, 357
16	Glass and glass-ware	.....	917, 047

APPENDIX O—Continued.

Commerce of the United States with France during the year ended June 30, 1888—Cont'd.

IMPORTS OF MERCHANDISE FROM FRANCE—Continued.

Order of magnitude.	Articles.	Quantities.	Values.
	SUBJECT TO DUTY—continued.		
17	Chemicals, drugs, dyes, and medicines, n. e. s		$875, 926
18	Breadstuffs and other farinaceous food		786, 836
19	Provisions		721, 841
20	Fish, not of American fisheries		691, 672
21	Iron and steel, and manufactures of		629, 845
22	Metals, metal compositions, and manufactures of, n. e. s		421, 130
23	Clothing (except of silk, and except hosiery, &c., of cotton or wool)		379, 087
24	Perfumery and cosmetics		368, 083
25	Jewelry and all manufactures of gold and silver, n. e. s		366, 471
26	Oils		355, 547
27	Books, pamphlets, engravings, and other publications, n. e. s		335, 950
28	Paper, and manufactures of		238, 748
29	Wood, manufactures of		236, 487
30	Musical instruments		212, 559
31	Brass, and manufactures of		171, 974
32	Bristles ..... lbs	144, 622	148, 078
33	Paints		144, 298
34	Seeds		132, 664
35	Hair, and manufactures of		128, 079
	All other dutiable articles		1, 611, 281
	Total value of dutiable merchandise		87, 356, 494
	Total value of merchandise free of duty		10, 632, 670
	Total value of imports of merchandise		97, 989, 164

EXPORTS OF DOMESTIC MERCHANDISE TO FRANCE.

1	Cotton, and manufactures of:		
	Unmanufactured ..... lbs	214, 414, 623	22, 703, 670
	Manufactures of		13, 027
	Total		22, 716, 697
2	Bread and breadstuffs:		
	Indian corn ..... bush	1, 617, 903	1, 077, 000
	Indian-corn meal ..... bbls	127	495
	Wheat ..... bush	15, 096, 712	17, 178, 486
	Wheat flour ..... bbls	63, 223	355, 672
	Other small grain and pulse		825
	Maizena, farina, and all other preparations of breadstuffs used as food		1, 850
	Total		18, 614, 328
3	Provisions:		
	Bacon ..... lbs	114, 281	11, 815
	Hams ..... lbs	138, 610	17, 431
	Beef, salted or cured ..... lbs	296, 350	23, 932
	Butter ..... lbs	118, 596	25, 250
	Cheese ..... lbs	9, 481	1, 597
	Condensed milk		300
	Fish, other cured		16, 433
	Lard ..... lbs	31, 794, 241,	3, 727, 926
	Meats, preserved		26, 606
	Oysters		1, 188
	Pickles and sauces		27
	Pork ..... lbs	109, 400	10, 854
	Vegetables, prepared or preserved		1, 175
	Total		3, 864, 544
4	Oils:		
	Mineral, crude ..... galls	33, 570, 402	2, 373, 472
	Mineral, refined:		
	Naphthas, benzine, gasoline, &c ..... galls	4, 890, 492	372, 074
	Illuminating ..... galls	2, 122, 804	162, 002
	Lubricating (heavy paraffine, &c.) ..... galls	613, 725	165, 819
	Residuum (tar, pitch, &c.) ..... bbls	14, 221	43, 757
	Total mineral		8, 117, 124

APPENDIX O—Continued.

Commerce of the United States with France during the year ended June 30, 1883—Cont'd.

EXPORTS OF DOMESTIC MERCHANDISE TO FRANCE—Continned.

Order of magnitude.	Articles.	Quantities.	Values.
4	Oils—Continued.		
	Animal		
	Lard ..... galls..	78, 181	$73, 457
	Neat's-foot and other animal ..... galls..	1, 730	1, 650
	Whale and other fish ..... galls..	58, 929	34, 110
	Total animal	.....	109, 217
	Vegetable:		
	Cotton-seed ..... galls..	94, 000	46, 000
	Volatile or essential	.....	15, 082
	Total vegetable	.....	61, 082
	Total oils	.....	3, 287, 423
	Tobacco:		
5	Leaf ..... lbs..	37, 965, 743	3, 086, 427
	Manufactures of	.....	5, 172
	Total	.....	3, 091, 599
	Copper, manufactures of	.....	991, 161
6			
	Wood, and manufactures of:		
7	Boards, clapboards, deals, planks, joists, and scantling ..... M ft..	12, 988	208, 828
	Shooks, staves, and headings	.....	124, 420
	All other lumber	.....	32, 622
	Logs, masts, spars, and other whole timber	.....	69, 496
	Timber, sawed and hewed ..... cu. ft..	1, 008, 431	134, 890
	Household furniture	.....	42, 344
	Wooden ware	.....	2, 117
	All other manufactures of wood, n. e. s	.....	22, 256
	Total	.....	636, 973
	Agricultural implements:		
8	Mowers and reapers ..... No..	2, 547	197, 836
	Plows and cultivators ..... No..	145	1, 306
	All other, n. e. s	.....	204, 566
	Total	.....	403, 708
	Seeds:		
9	Clover ..... lbs..	3, 547, 935	369, 522
	Timothy, garden, and all other	.....	21, 239
	Total	.....	390, 761
	Tallow ..... lbs..	2, 988, 083	257, 018
10	Whalebone ..... lbs..	115, 597	245, 421
11			
	Iron and steel:		
12	Iron, manufactures of—		
	Sheet, band, and hoop	151	10
	Castings, n. e. s	.....	4, 385
	Stoves, and parts of	.....	510
	Steam-engines, stationary ..... No..	1	325
	Machinery, n. e. s	.....	83, 239
	Nails and spikes ..... lbs..	15, 000	465
	Printing presses and type	.....	1, 733
	Scales and balances	.....	2, 134
	Sewing-machines, and parts of	.....	72, 074
	All other manufactures of iron, n. e. s	.....	26, 701
	Steel, manufactures of:		
	Cutlery	.....	879
	Edge-tools	.....	13, 291
	Ftles and saws	.....	90
	Fire-arms	.....	2, 261
	All other manufactures of steel, n. e. s	.....	2, 587
	Total	.....	210, 674

APPENDIX O—Continued.

Commerce of the United States with France during the year ended June 30, 1883—Cont'd.

EXPORTS OF DOMESTIC MERCHANDISE TO FRANCE—Continued.

Order of magnitude.	Articles.	Quantities.	Values.
13	Spirits, distilled:		
	From grain ..... galls..	756, 643	$151, 634
	From other materials ..... galls..	55	90
	Total	.....	151, 724
14	Hides and skins other than fur	.....	129, 994
15	Spirits of turpentine ..... galls..	282, 458	126, 690
16	Drugs, chemicals, dyes, and medicines	.....	77, 932
17	Naval stores:		
	Rosin and turpentine ..... bbls..	30, 012	61, 289
	Tar and pitch ..... bbls..	3, 003	8, 642
	Total	.....	69, 931
18	Fruits:		
	Apples, dried ..... lbs..	1, 272, 780	58, 041
	Apples, green or ripe ..... bush..	97	204
	Other fruit, green, ripe, or dried	.....	2, 855
	Preserved, in cans or otherwise	.....	1, 770
	Total	.....	62, 870
19	Hair:		
	Unmanufactured	.....	42, 887
	Manufactures of	.....	3, 886
	Total	.....	46, 773
20	Varnish ..... galls..	11, 095	46, 663
21	Hemp, manufactures of:		
	Cables and cordage ..... cwt..	9	177
	All other manufactures of	.....	45, 436
	Total	.....	45, 613
22	Paintings and engravings	.....	38, 650
23	Jewelry and other manufactures of gold and silver	.....	35, 739
24	Wearing apparel	.....	26, 973
25	Bark for tanning	.....	26, 057
26	India-rubber and gutta-percha manufactures	.....	22, 732
27	Books, maps, pamphlets, and other manufactures	.....	20, 615
28	Fancy articles	.....	19, 782
29	Glass and glass-ware	.....	12, 442
30	Paints and painters' colors	.....	11, 478
	All articles not enumerated:		
	All other unmanufactured articles	.....	57, 041
	All other manufactured articles	.....	225, 185
	Total not enumerated	.....	282, 226
	Total value of exports of domestic merchandise	.....	55, 965, 191

RECAPITULATION.

Imports of merchandise	$97, 989, 164
Exports of domestic merchandise	55, 965, 191
Exports of foreign merchandise	2, 717, 032
Imports of specie	104, 432
Exports of specie	1, 381, 214
Total commerce with France	158, 157, 033

APPENDIX P.

Commerce of the United States with Germany during the year ended June 30, 1883.

IMPORTS OF MERCHANDISE FROM GERMANY.

[n. e. s.: Not elsewhere specified.]

Order of magnitude.	Articles.	Quantities.	Values.
	FREE OF DUTY.		
1	Chemicals, drugs, dyes, and medicines		$1,870,723
2	Articles, the produce or manufacture of the United States, brought back		1,552,629
3	Hides and skins, other than fur		1,046,908
4	Paper materials ..... lbs.	32,520,678	968,550
5	Fur-skins, undressed		241,048
6	Hair, unmanufactured ..... lbs.	418,997	141,837
7	Household and personal effects and wearing-apparel, old and in use, of persons arriving from foreign countries		132,478
8	India-rubber and gutta-percha, crude ..... lbs.	256,127	121,978
9	Guano ..... tons.	943	56,843
10	Books, n. e. s		55,849
11	Eggs ..... doz.	251,903	54,166
	All other free articles		1,693,180
	Total free of duty		7,936,189
	SUBJECT TO DUTY.		
1	Cotton, manufactures of		8,710,077
2	Wool, and manufactures of:		
	Wool, raw ..... lbs.	10,671	8,960
	Dress-goods ..... sq. yds.	5,116,953	1,414,478
	Other manufactures of		5,074,561
	Total		6,497,999
3	Silk, manufactures of		4,227,109
4	Iron and steel, and manufactures of		3,158,973
5	Leather, and manufactures of:		
	Leather of all kinds ..... lbs.	1,644,330	1,104,909
	Manufactures of		2,010,072
	Total		3,114,981
6	Buttons of all kinds, including button materials partly fitted for buttons exclusively		2,332,090
7	Fancy goods		2,006,684
8	Chemicals, drugs, dyes, and medicines		1,690,143
9	Glass and glass-ware		1,435,449
10	Flax, manufactures of		1,288,472
11	Musical instruments		1,156,000
12	Earthen, stone, and china ware		1,099,074
13	Paper, and manufactures of		928,546
14	Bristles ..... lbs.	699,059	907,202
15	Books, pamphlets, engravings, and other publications, n. e. s		899,952
16	Sugar, brown ..... lbs.	16,285,489	758,588
17	Metals, metal compositions, and manufactures of, n. e. s		681,562
18	Zinc, spelter, or tutenegue, and manufactures of		664,657
19	Furs and dressed fur-skins		636,819
20	Wines, spirits, and cordials:		
	Spirits and cordials, in casks ..... proof galls.	37,292	23,569
	Spirits and cordials, in bottles ..... doz.	9,971	39,178
	Wine, in casks ..... galls.	508,033	387,219
	Wine, in bottles ..... doz.	29,481	179,895
	Total		629,861
21	Tobacco, and manufactures of:		
	Leaf ..... lbs.	591,606	345,621
	Manufactures of		18,232
	Total		363,853

APPENDIX P—Continued.

Commerce of the United States with Germany during the year ended June 30, 1883—Cont'd.

IMPORTS OF MERCHANDISE FROM GERMANY—Continued.

Order of magnitude.	Articles.	Quantities.	Value.
	SUBJECT TO DUTY—Continued.		
22	Fruits of all kinds, including nuts		$558,045
23	Precious stones		472,428
24	Clothing (except of silk, and except hosiery, etc., of cotton or wool)		390,432
25	Paintings, chromo-lithographs, photographs, and statuary, n. e. s		390,424
26	Wood, manufactures of		384,994
27	Jewelry, and all manufactures of gold and silver, n. e. s		321,552
28	Hair, and manufactures of		250,225
29	Watches and watch movements and materials		237,590
30	Paints		207,103
31	Beer, ale, porter, and other malt liquors ..... galls.	484,188	147,231
32	Breadstuffs and other farinaceous food		126,788
33	Seeds		116,468
34	Fish, not of American fisheries:		
	Herring, pickled ..... bbls.	9,958	96,844
	All other		18,989
	Total		115,833
35	Brass, and manufactures of		97,417
	All other dutiable articles		2,435,815
	Total value of dutiable merchandise		49,441,539
	Total value of merchandise free of duty		7,936,189
	Total value of imports of merchandise		57,377,728

EXPORTS OF DOMESTIC MERCHANDISE TO GERMANY.

[n. e. s.: Not elsewhere specified.]

1	Cotton, and manufactures of:		
	Unmanufactured ..... lbs.	269,291,378	$29,542,185
	Manufactures of		144,953
	Total		29,687,138
2	Oils:		
	Mineral, crude ..... galls.	2,613,524	178,927
	Mineral, refined or manufactured:		
	Naphthas, benzine, gasoline, &c ..... galls.	2,367,177	154,829
	Illuminating ..... galls.	118,781,859	9,219,609
	Lubricating (heavy paraffine, &c.) ..... galls.	1,321,345	265,218
	Total mineral		9,818,583
	Animal:		
	Lard ..... galls.	8,956	8,412
	Sperm ..... galls.	4,687	5,831
	Whale and other fish ..... galls.	160	98
	Total animal		14,341
	Vegetable:		
	Cotton-seed ..... galls.	35,126	23,497
	Volatile or essential		105,608
	Total vegetable		129,105
	Total oils		9,962,029
	Provisions:		
	Bacon ..... lbs.	14,004,017	1,374,432
	Hams ..... lbs.	704,815	94,851
	Beef salted or cured ..... lbs.	1,982,054	170,673
	Butter ..... lbs.	870,043	132,827
	Cheese ..... lbs.	185,713	17,117
	Eggs ..... doz.	19,200	3,456
	Fish, pickled ..... bbls.	43	1,105

APPENDIX P—Continued.

Commerce of the United States with Germany during the year ended June 30, 1883—Cont'd.

EXPORTS OF DOMESTIC MERCHANDISE TO GERMANY—Continued.

Order of magnitude.	Articles.	Quantities.	Value.
3	Provisions—Continued.		
	Fish, other cured		$84, 199
	Lard.....lbs..	41, 872, 915	4, 867, 142
	Meats, preserved		139, 434
	Oysters		13, 113
	Pickles and sauces		104
	Pork.....lbs..	1, 146, 662	108, 025
	Potatoes and all other vegetables		6, 573
	Total		7, 013, 051
	Bread and breadstuffs:		
	Bread and biscuit.....lbs..	10, 790	837
	Indian corn.....bush..	1, 860, 271	1, 277, 527
	Rye.....bush..	593, 715	436, 397
	Wheat.....bush..	1, 405, 999	1, 610, 127
	Wheat flour.....bbls..	33, 645	190, 240
	All other, and preparations of		54, 376
	Total		3, 569, 504
5	Tobacco, and manufactures of:		
	Leaf.....lbs..	41, 810, 092	2, 996, 050
	Manufactures of		89, 734
	Total		3, 085, 784
	Seeds:		
	Clover.....lbs..	15, 079, 758	1, 746, 670
	Timothy, garden, and all other		329, 333
	Total		2, 076, 003
7	Iron and steel:		
	Machinery, n. e. s		228, 326
	Sewing-machines, and parts of		814, 176
	All other manufactures of iron		239, 003
	Steel, manufactures of		58, 169
	Total		1, 339, 674
8	Furs and fur-skins		848, 291
9	Wood, and manufactures of:		
	Boards, clapboards, deals, planks, joists, and scantling....M ft..	3, 125	67, 482
	Shooks, staves, and headings		43, 475
	All other lumber		51, 684
	Logs, masts, spars, and other whole timber		243, 594
	Timber, sawed and hewed.....cu. ft..	423, 824	119, 486
	Household furniture		69, 707
	All other manufactures of wood, n. e. s		199, 215
	Total		794, 743
10	Oil-cake	55, 687, 968	629, 449
11	Leather, and manufactures of:		
	Sole, upper, and all other.....lbs..	2, 481, 629	522, 574
	All other, and manufactures of		61, 090
	Total		583, 664
12	Naval stores, rosin, turpentine, tar, and pitch.....bbls..	253, 127	546, 687
13	Drugs, chemicals, dye-stuffs, and medicines		526, 027
14	Fruits:		
	Apples, dried.....lbs..	3, 696, 119	306, 162
	All other, green, ripe, dried, and preserved		51, 870
	Total		358, 032
15	Spirits of turpentine.....galls..	680, 551	290, 608
16	Whalebone.....lbs..	680 551	289, 646

APPENDIX P—Continued.

Commerce of the United States with Germany during the year ended June 30, 1883—Cont'd.

EXPORTS OF DOMESTIC MERCHANDISE TO GERMANY—Continued.

Order of magnitude.	Articles.	Quantities.	Value.
17	Agricultural implements:		
	Mowers and reapers.....No..	1,043	$97,761
	All other.....	.....	185,297
	Total.....	.....	283,058
18	Musical instruments	.....	152,334
19	Paintings and engravings.....	.....	148,692
20	Manures	.....	136,020
21	Spirits, distilled .....galls..	125,042	124,063
22	Hides and skins, other than fur.....	.....	116,016
23	Copper, and manufactures of:		
	Ore .....cwts..	6,454	65,449
	Manufactures of.....	.....	39,562
	Total.....	.....	105,011
24	Sugar and molasses	.....	94,099
25	Clocks, and parts of.....	.....	90,601
26	Wearing-apparel	.....	81,200
27	Vessels sold to foreigners, sailing.....tons..	3,245	78,234
28	Books, pamphlets, maps, and other publications	.....	73,195
29	Paper and stationery.....	.....	67,765
30	Fancy articles.....	.....	66,161
31	Zinc, manufactures of.....	.....	58,323
32	India-rubber and gutta-percha, manufactures of.....	.....	55,551
33	Hemp, manufactures of	.....	54,927
34	Mathematical and philosophical instruments.....	.....	49,480
35	Hair, and manufactures of	.....	42,168
36	Brass, and manufactures of	.....	36,496
37	Carriages, carts, cars, and parts of.....	.....	33,879
38	Bone-black, ivory-black, and lampblack.....	.....	29,739
39	Starch .....lbs..	674,723	28,778
40	Spermaceti .....lbs..	142,639	24,200
41	Glass and glassware.....	.....	24,145
42	Jewelry, and other manufactures of gold and silver.....	.....	22,652
43	Marble and stone, and manufactures of	.....	21,993
	All articles not enumerated—		
	All other unmanufactured articles.....	.....	218,017
	All other manufactured articles.....	.....	423,363
	Total value of exports of domestic merchandise.....	.....	64,340,490

RECAPITULATION.

Imports of merchandise	$57,377,728
Exports of domestic merchandise.....	64,340,490
Exports of foreign merchandise	1,829,439
Imports of specie	2,570,717
Exports of specie	368,055
Total commerce with Germany.....	126,486,429

APPENDIX Q.

Quantity and value of wine imported from Germany into the United States during each year from 1864 *to* 1883, *inclusive.*

Year ended June 30—	In casks.		In bottles.		Total.
	Gallons.		*Dozens.*		
1864	107,293	$58,564	.....	.....	$58,564
1865	64,277	23,550	398	$2,460	26,010
1866	334,880	153,020	1,682	11,730	164,544
1867	304,953	166,142	1,592	13,422	179,564
1868	235,153	119,100	3,440	34,139	130,388
1869	580,418	215,781	12,201	88,074	303,855
1870	860,626	313,560	12,188	67,281	380,841
1871	603,685	226,054	10,910	52,864	278,918
1872	988,456	351,511	15,145	90,094	441,605
1873	687,047	268,290	17,549	127,573	395,863
1874	423,932	167,090	7,967	52,277	219,367
1875	297,226	135,625	15,872	107,619	243,244
1876	274,355	179,270	12,666	99,075	278,345
1877	178,216	111,528	11,017	93,177	204,705
1878	204,084	130,790	11,401	85,124	215,914
1879	184,613	126,569	11 785	85,471	212,040
1880	212,683	146,909	12,898	87,214	234,123
1881	228,941	156,982	12,950	85,307	242,289
1882	318,928	229,372	21,081	140,320	369,692
1883	508,033	387,219	21,481	179,895	567,114

APPENDIX R.

THE AMERICAN PORK QUESTION IN FRANCE.

The following letter has been addressed to Mr. de Freycinet, minister of foreign affairs, president of the French cabinet:

PARIS, *February* 5, 1882.

DEAR SIR: The important question of the American salted pork meats, which your predecessors often examined and always postponed, is not yet resolved.

The decree of prohibition was signed on February 18, 1881. Its object was to struggle against a danger which science declared did not exist.

Such a measure suppressed at once in our sea-ports a branch of trade amounting annually to about forty millions of francs ($8,000,000), and deprived the working classes of a wholesome food at a cheap price.

After February 18 the French Republican Government saw that it had gone too far; for it was said to General Noyes (at that time American minister at Paris) and to French importers, who had in prospect nothing less than ruin:

"Do not provoke any agitation; make no noise; be quiet; the decree is only a temporary one, and we are going to repeal it."

General Noyes wrote the following reply on April 8, 1881, to the Government at Washington:

"I have some reason to think that the French Government is more favorably disposed than heretofore towards our application, and I am confident that within two months, perhaps within one month, the order will be annulled."

The two months are now long past, but up to the present date nothing has been done, though the preceding cabinets have made an effort to lull the vigilance of interested people. Recently, I believe, these promises, made in March and April, were renewed to Mr. Levi P. Morton, successor of General Noyes at Paris. Such is my opinion. I can not, however, interrogate Mr. Morton on the subject, nor can he show me his reports.

A project establishing the rules of the microscopic inspection—that is to say, offering an impossibility to the trade—was introduced at the Chamber of Deputies by the minister of commerce on November 5, 1881. That project, elaborated with care, was a perfect one; unfortunately, it was unpractical. Then the bill was retired by a decree of the President of the French Republic.

Another project was presented to the Chamber by the minister of commerce on January 14, last. This second project proposes to take the place of the prohibitory decree of February, a system of inspection which is neither practical nor logical, but

which, however, has the advantage of suppressing the microscope. It was accepted, though imperfect, at Havre, Bordeaux, Marseilles, and Lyons, just at a time when the minister who proposed it resigned.

At present interested people are afraid that, with a new state of things, the question of microscopical inspection will again be agitated, although recognized impossible by the second project. Should that second project be retired and a third one introduced, but to share the fate of its two predecessors, men of good common sense will ask themselves when the result so anxiously desired will be obtained definitely. The American people have been patient up to this time, but that patience is now nearly exhausted.

In 1867, Mr. Bigelow, then American minister at Paris, received one day the official order to say to the Imperial Government:

"Withdraw your soldiers from Mexico, or we immediately interfere."

The French soldiers were immediately withdrawn.

If you, sir, do not soon repair the mistake committed during the last year, Mr. Morton, faithful interpreter of his Government, will probably before long say to you:

"Repeal the decree of February 18, 1881, or we will prohibit the introduction to the United States of your wines and silk fabrics," &c.

This, sir, is the impression I received during my last trip in America.

You will be able, I am sure, enlightened by your wisdom and patriotism, to save our French trade from the imminent retaliations of the United States.

I am, dear sir, very respectfully,

LÉON CHOTTEAU.

APPENDIX S.

[Telegram.]

NEW YORK, *February* 1, 1884.

Merchants here engaged in export trade state there is a strict prohibition of hog product, even in bond in transit for other countries, in both France and Germany. Switzerland imports through Italy. At Hamburg and Bremen it is permitted, when taken by the same vessel that brought it, if final destination is a Baltic point outside of Germany; but no transshipment permitted.

E. H. WALKER,
Statistician, N. Y. Pr. Ex.

JOS. NIMMO, JR.,
Chief of Bureau of Statistics.

APPENDIX T.

TREASURY DEPARTMENT,
OFFICE SUPERVISING SURGEON-GENERAL U. S. MARINE-HOSPITAL SERVICE,
Washington, February 1, 1884.

SIR: In accordance with the request contained in your letter of January 30, 1884, I have to inform you that the total number of seamen treated by the Marine-Hospital Service for the ten years from 1874 to 1883, inclusive, was 234,353. The total number of deaths from all causes during that period was 4,234. There were no cases of trichinosis reported during that period, or since the organization of the service, so far as the records of this office show.

In answer to your inquiry as to whether the class of patients who are treated by this service do not subsist very largely upon pork meat, I have to say that they do subsist largely upon that class of food, and it is for the most part salt pork.

Very respectfully,

JOHN B. HAMILTON,
Surgeon-General, M. H. S.

Mr. JOSEPH NIMMO,
Chief of Bureau of Statistics.

APPENDIX U.

DISTRICT OF COLUMBIA,
Health Department, Washington, February 2, 1884.

DEAR SIR: Referring to yours of January 30, 1884, asking certain information relative to sickness or death caused by eating certain articles of food, I have the honor to state that the records of this department show no fatal case of sickness caused by the eating of pork meats in the District of Columbia.

In so far as the question of the relative merits of pork meats compared with other articles of diet is concerned, the only way we have of judging is by the condemnations of unwholesome food. I send you herewith a marked copy of my last published report, which will give you the facts in tabular form. It will be seen that, during the ten years covered, the condemnations of bacon, ham, and pork form but a comparatively small proportion. See pages 13 and 16 of report.

Very respectfully, etc.,

SMITH TOWNSHEND, M. D.,
Health Officer.

JOSEPH NIMMO, JR.,
Chief Bureau of Statistics.

APPENDIX V.

Statements from the chief health officers of New York, Boston, Philadelphia, and Baltimore in regard to the total number of deaths in those cities, and the number of deaths from trichinosis.

OFFICE OF THE BOARD OF HEALTH,
REGISTRATION DAPARTMENT, NO. 604 SANSOM STREET,
Philadelphia, February 1, 1884.

SIR: Your telegram this date to hand. In reply:

Years.	No. of deaths.	Deaths from trichinosis.
1879	15,473	.....
1880	17,711	.....
1881	19,515	.....
1882	20,059	3
1883	20,006	.....
Total	92,764	3

Yours, respectfully,

G. E. CHAMBERS,
Registrar,
Per TURNEY.

JOSEPH NIMMO, Esq.,
Washington, D. C.

Number of deaths in the city of New York during the ten years 1874–1883, *and the number of deaths attributed to trichinosis during the same period.*

Years.	Number of deaths.	Deaths from trichinosis.
1874	28,727	None.
1875	30,709	1
1876	29,152	None.
1877	26,203	None.
1878	27,008	1
1879	28,342	None.
1880	31,937	1
1881	38,624	2
1882	37,924	None.
1883	34,011	None.
Total	170,838	5

Correct:

EMMONS CLARK,
Secretary Health Department, New York City.

FEBRUARY 1, 1884

[Telegram.]

BOARD OF HEALTH,
Boston, Mass., February 1, 1884.

SIR: Total number of deaths reported to us last five years, 43,680. No deaths reported from trichinosis.

Respectfully,

A. H. DURGIN,
Chairman.

To JOSEPH NIMMO, Jr.,
Washington, D. C.

HEALTH DEPARTMENT,
City Hall, Baltimore, February 1, 1884.

DEAR SIR: Your telegram to Doctor Benson has been placed in my hands. I endeavored to reply by telephone, and now write to verify my statement. I have just completed a statistical table, covering a period of fifty-four years, in regard to zymotic diseases and the mortality of children under five years of age in the city of Baltimore. Have also made a very thorough examination of the reports of this department from January 1, 1834, to December 31, 1883, a period of fifty years, and have been unable to find *a single case* of "trichinosis" reported. I have also consulted some of our ablest as well as oldest physicians. Their testimony is, that they never heard of a case in Baltimore. I have resided here nearly fifty-seven years, and consider myself a close observer; have a good memory also. I never heard of a case in our city, notwithstanding a vast amount of pork is consumed by our citizens. I therefore feel quite confident in asserting that this city has been absolutely free from this disease. I find by my table that the total number of deaths in Baltimore have been as follows:

Years.	Total deaths.	Years.	Total deaths.
1830	2,086	1857	5,120
1831	2,308	1858	5,407
1832	*3,572	1859	4,647
1833	2,405	1860	4,866
1834	2,747	1861	4,790
1835	2,050	1862	5,173
1836	2,192	1863	5,551
1837	2,518	1864	5,568
1838	2,376	1865	4,695
1839	2,260	1866	5,623
1840	2,045	1867	5,211
1841	2,448	1868	6,178
1842	2,454	1869	6,497
1843	2,333	1870	7,262
1844	2,665	1871	7,141
1845	2,896	1872	†7,546
1846	2,994	1873	‡7,817
1847	3,414	1874	7,401
1848	3,861	1875	7,382
1849	4,165	1876	7,317
1850	4,210	1877	9,022
1851	4,169	1878	6,733
1852	4,965	1879	7,618
1853	4,717	1880	8,043
1854	5,416	1881	8,816
1855	5,075	1882	§8,933
1856	5,229	1883	‖9,380

* 853 from cholera.
† 896 from small-pox.
‡ 617 from small-pox.
§ 551 from small-pox.
‖ 633 from small-pox.

Making a grand total of deaths during fifty-four years, 264,324, of which number 125,874 were children under five years of age, 17,982 having died from cholera infantum.

Respectfully submitted.

A. R. CARTER,
Secretary Health Department.

JOSEPH NIMMO, Jr., Esq.,
Chief of Bureau of Statistics, Washington, D. C.

APPENDIX W.

Letter addressed to the Chief of the Bureau of Statistics by Mr. Charles Randolph, secretary of the Board of Trade of Chicago.

BOARD OF TRADE,
Secretary's Office, Chicago, January 30, 1884.

DEAR SIR: Yours of the 26th and 28th instants are received, the first with inclosures, which I herewith return. I have read over your letter (copy) to Mr. Murray. I quite agree with you that it would be "a perversion of the truth to represent that the total falling off in our exports of hog products has been due entirely to the action of Germany and France." The German general interdiction did not take effect until March, 1883. The decree of June 25, 1880, a copy of which you inclosed me, did not cover anything but sausage, and had little effect in this country, as we had sent but an insignificant quantity previously. In March, 1883, a new order was issued, the text of which I have not got. This covered all forms of pork meat when designed for consumption in Germany, and by the statement of Consul Mason, at Basle, Switzerland, was also held to prohibit the transportation, even in sealed cars, of American pork from other countries through German territory to countries beyond. This, perhaps, was the most unfriendly act that has grown out of the whole business, and one that it seems to me ought to have called out a vigorous protest from our Government. The State Department was, I think, informed in May last of this prohibition, the circumstances of which were detailed in correspondence sent the Department by Consul Mason. There is no prohibition on the importation of lard in Germany; but the authorities have, I understand, seized some lard alleged to be mixed with water, and confiscated it at the German border (I think Aix-la-Chapelle). In France the prohibition is held to cover all forms of pork meat, but not lard. I think there is a still later decree than that of February 18, 1881, copy of which you sent. This one, however, would doubtless be held to cover all forms of pork meat, whether salted in barrels or otherwise, smoked or not. These prohibitions are understood in the trade to cover all forms of pork except lard, in both France and Germany, with the exception that pork in barrels is allowed into German ports *if to be used on shipboard, and is held under Government control until taken for shipment by sea.*

The great falling off in exports of hog products from this country has been far more on account of the high price at home than from any of these prohibitions, the high prices made by home demand of course being possible of attainment on account of that demand being largely increased on a diminished supply, resulting from the causes alluded to in your letter to Mr. Murray. Mess-pork in barrels is perhaps the best standard to estimate all values by. That averaged in this market in 1878 $9 per barrel; in 1879, $8.54; in 1880, $13.06; in 1881, $16.47½; in 1882, $19.42; and in 1883, $15.12½; but up to July, 1883, very much higher than the average of the whole year. That the price (here) has had more to do with the falling off in exports than any prohibition is clearly shown in the falling off in lard exports, on which there has been no prohibition, and also in the large decline in exports to Germany prior to March, 1883, when there was no prohibition except as it relates to sausages.

I can not say positively as to whether or not the action of France and Germany has discredited our pork products in Great Britain to an extent that has diminished our exports there, but I do not think it has had any such effect. Those exports have been reduced, as I think, on account of our high prices for home consumption, the same as corn exports were diminished in 1882 from the same cause. I do not see how you can arrive at a percentage of total exports of hog products that falls under the prohibition in any satisfactory manner. You might take the total exports of any given year prior to the prohibitions, and, arriving at the percentage of that year which went to those countries, state that to be the percentage that under a similar volume of exports would now be the percentage falling under the prohibitions; but even that would not be a very satisfactory way of stating it, because under a different range of prices, changed home supplies, etc., it might be quite different.

I do not think of anything else in this connection that can be of value to you.

Yours, truly,

CHAS. RANDOLPH,
Secretary.

Hon. JOS. NIMMO, Jr.,
Chief of Bureau of Statistics, Washington, D. C.

APPENDIX X.

HEALTH DEPARTMENT,
No. 301 *Mott street, New York, January* 31, 1884.

DEAR SIR: I have examined the article inclosed in yours of 30th instant on "Trichinæ and Trichinosis," and confidently certify to the correctness of the statements therein. That more deaths occur and more sickness prevails from eating fish and oysters in bad condition, and from eating stale vegetables, than from eating pork, can hardly be questioned.

Yours, respectfully,

EMMONS CLARK,
Secretary.

JOSEPH NIMMO, Jr.,
Chief Bureau of Statistics, Treasury Department,
Washington, D. C.

No. 8.

Senate Ex. Doc. No. 114, Fiftieth Congress, first session.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TRANSMITTING LETTER OF THE SECRETARY OF STATE AND REPORTS RELATIVE TO ALLEGED ACTION BY THE FRENCH GOVERNMENT IN PROHIBITING THE IMPORTATION OF AMERICAN PRODUCTS.

MARCH 7, 1888.—Read and laid upon the table and ordered to be printed.

To the Senate:

In compliance with the resolution of the Senate of the 24th of February, 1888, calling for information as to whether the Government of France has prohibited the importation into that country of any American products, and, if so, what products of the United States are affected thereby; and also as to whether any correspondence upon said subject has passed between the Governments of the United States and France, I transmit herewith a report from the Secretary of State on the subject, with the accompanying correspondence.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 7, 1888.

The PRESIDENT:

The Secretary of State, to whom was referred the resolution of the Senate of the 24th ultimo, requesting the President "to inform the Senate, if it is not in his judgment incompatible with the public interests to communicate such information, whether the Government of France has prohibited the importation into France of any American products, and, if so, what products of the United States are affected thereby; the date of such prohibition, and what steps, if any, have been taken by the Government of the United States to secure the rescinding of such prohibition; also, whether any correspondence upon said subject had passed between the Governments of France and the United States prior to the message of the President to Congress, dated January 12, 1888, containing the report of the Secretary of State in relation to the invitation from the Government of France to this Government to participate in the International Exhibition to be held at Paris in 1889, which report recommended that said invitation be accepted and that the necessary appropriation be made therefor; and, if so, the substance and purport of such correspondence," has the honor to lay before the President the correspondence and information called for by said resolution.

On the 18th day of February, 1881, the French Government issued a decree forbidding the importation of American pork into France. This decree has been in force since that date, except for a few weeks in 1883. On the 27th of November, 1883, it was revoked, but on the 27th of the

following month it was re-issued in obedience to a resolution which passed the French Chamber of Deputies by a vote of 272 to 153, showing the very decided majority of 119 votes in favor of the policy of excluding American pork from France. It will be seen from the accompanying correspondence that there is no evidence that the views of the majority of the French Chamber of Deputies have changed; and the Department knows of no ground to hope that the decree will be revoked at any early day.

Inasmuch as the decree of the 18th of February, 1881, prohibiting the importation of American pork into France did not apply to the pork products of other nations and thereby discriminated against this country, and inasmuch as the reasons assigned by the French Government for issuing the decree were without good foundation, this Government at once protested against the measure, and since August, 1880, it has been, from time to time, the subject of earnest diplomatic representations by this Government to that of France. It will be seen from the latest dispatch from Mr. McLane on the subject, No. 545, of the 9th ultimo, that the situation now remains substantially unchanged.

The greater portion of the correspondence on this subject has already been communicated to Congress, but as it is scattered through a number of documents it has been thought best to compile in chronological order all the correspondence in respect of the French decree since August, 1880, in order that the Senate may be the better enabled to obtain a connected view of the entire matter.

Respectfully submitted.

T. F. BAYAYD.

DEPARTMENT OF STATE,
Washington, March 7, 1888.

The accompaniments to this message, 1 to 62, are embraced in Inclosure No. 3, and accompaniments 62 to 100 are embraced in Inclosure No. 5.

No. 101.—Mr. Morton to Mr. Frelinghuysen, No. 483, January 22, 1884.
No. 102.—Mr. Morton to Mr. Frelinghuysen, No. 486, January 23, 1884.
No. 103.—Mr. Morton to Mr. Frelinghuysen, No. 490, January 31, 1884.
No. 104.—Mr. Morton to Mr. Frelinghuysen, No. 500, February 8, 1884, with an accompaniment.
No. 105.—Mr. Frelinghuysen to Mr. Morton, No. 450, February 12, 1884.
No. 106.—Mr. Brulatour to Mr. Frelinghuysen, No. 510, March 6, 1884, with an accompaniment.
No. 107.—Mr. Morton to Mr. Bayard, No. 774, May 13, 1885, with an accompaniment.
No. 108.—Mr. Bayard to Mr. McLane, No. 9, June 1, 1885.
No. 109.—Mr. McLane to Mr. Bayard, No. 24, June 16, 1885.
No. 110.—Mr. McLane to Mr. Bayard, No. 36, July 3, 1885.
No. 111.—Mr. Bayard to Mr. McLane, No. 20, July 9, 1885.
No. 112.—Mr. McLane to Mr. Bayard, No. 53, August 7, 1885.
No. 113.—Mr. McLane to Mr. Bayard, No. 58, August 13, 1885.
No. 114.—Mr. Bayard to Mr. McLane, No. 35, August 31, 1885.
No. 115.—Mr. McLane to Mr. Bayard, No. 73, September 25, 1885, with an accompaniment.
No. 116.—Mr. Bayard to Mr. McLane, No. 48, October 17, 1885.
No. 117.—Mr. McLane to Mr. Bayard, No. 108, November 20, 1885, with accompaniments.
No. 117½.—Mr. Dufais to Mr. Porter, December 23, 1885.
No. 118.—Mr. Dufais to Mr. Porter, No. 73, July 21, 1886.
No. 119.—Mr. McLane to Mr. Bayard, No. 403, May 12, 1887.
No. 120.—Mr. Mason to Mr. Rives, No. 195, February 4, 1888.
No. 121.—Mr. McLane to Mr. Bayard, No. 545, February 9, 1888.
No. 122.—Mr. Dufais to Mr. Rives, No. 140, February 17, 1888.

No. 101.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 483.] LEGATION OF THE UNITED STATES,
Paris, January 22, 1884. (Received February 9.)

SIR: By special appointment I called yesterday on Mr. Ferry to ascertain his intentions in relation to the earnest representations I had again made with reference to the prohibition of our pork products and to call his serious attention to the agitation which the revival of prohibitory measures had created in the United States. I reminded him of his promise made on New Year's day that he would not let the matter rest there, adding that I had communicated to you his language, that the moment was critical, and that if some liberal steps were not determined upon on this side, Congress would no doubt adopt measures which might complicate the matter and render its solution less easy.

He said he remembered well his promise, and reasserted that his Government did not intend to let the matter drop, that the minister of commerce was preparing a bill which he hoped would give satisfaction to both countries, but that he had not pressed its presentation in order to enable public opinion to be enlightened as to the true bearing of the question; that the press had so widely and so liberally discussed it that he expected to find less opposition in the Chambers when the question was again brought before it.

Upon my inquiring the nature of the contemplated bill, he said that it would provide for an inspection, but it was the intention of the Government to make this inspection as light as possible, its object being mainly to show whether the meats were or were not *fully cured*, for the purpose of only rejecting the latter. In substance the bill is to be the same as the one which passed the Chamber in March, 1882, the more liberal conditions of which are embodied in the Gaudin bill, which caused the introduction of Mr. Paul Bert's resolution, and which is now in the hands of a committee of the house.

Mr. Ferry then asked if I could give him any definite information as to the character of the measures recently introduced in Congress in relation to the subject; what he desired particularly to know was what share our Government had in the action thus taken, and if any of the bills or measures mentioned by telegrams had official character.

I replied that though I had not received any communication from you with reference to the matter, I could safely give him the assurance that you had not proposed any of the measures to which he referred, as in our system of Government the Executive did not originate legislation, that these measures had been undoubtedly proposed by members of the two houses, under the pressure of public opinion, or at the suggestion of the large and influential class of people engaged in the pork trade, and that I had good reason to believe that very far from countenancing any unreasonable retaliatory measures you disapproved of them. I then gave him the substance of a late telegram published in the London Times, stating that you had intimated to members of the House of Representatives that it would be well to proceed with circumspection in the matter of authorizing the prohibition of the importation of certain goods from foreign countries which placed restrictions on the importation of American products; that the introduction in Congress of certain measures had already accomplished some good, and that it

would perhaps be better to avoid actual legislation of a retaliatory character.

Mr. Ferry was much pleased with this statement. "These are," he said, "very good words; they convey wise advice and are calculated to facilitate us [meaning himself and myself] in the task we have jointly undertaken of settling this troublesome question."

* * * * * * *

In the course of the conversation reference was also made to the establishment of a system of inspection of our salted meats by United States officers, and Mr. Ferry expressed the opinion that an inspection having this character would be received here with great satisfaction and might remove all the objections made by many people who still believed in trichinæ and trichinosis, and he was pleased to say that he was not one of them.

I have, etc.,

LEVI P. MORTON.

No. 102.

Mr. Morton to Mr. Frelinghuysen.

No. 486.] LEGATION OF THE UNITED STATES,
Paris, January 23, 1884. (Received February 9.)

SIR: With reference to your telegram received January 2, requesting me to ask that the time allowed for the admission of American pork in France be extended to the 1st of February, I have the honor to inform you that the application was made and granted.

I have, etc.,

LEVI P. MORTON.

No. 103.

Mr. Morton to Mr. Frelinghuysen.

No. 490.] LEGATION OF THE UNITED STATES,
Paris, January 31, 1884. (Received February 15.)

SIR: My telegram of yesterday gave you the substance of the conversation I had in the morning with Mr. Paul Bert in view of his opposition to the free admission of our salted meats. Although I had often met Mr. Paul Bert in official circles and at my house, I felt some hesitancy in approaching, on this subject, an expert with whom I could not attempt to discuss the matter scientifically, and one who had taken in this instance a hostile stand to his own Government. I thought proper to first suggest the idea to the president of the council, who favored the suggestion and even advised me to see Mr. Paul Bert and appeared as anxious as I am to reach a practical understanding with regard to this difficulty.

I opened the subject with Mr. Paul Bert by stating very frankly that I had not called to enter upon a technical controversy with so distinguished a scientist with reference to the question of trichinosis, but simply as an American as friendly to France as I knew he was to America, and to express the hope that a man of his liberal views could devise some plan of action which would give satisfaction to both countries. I added that the matter had taken a threatening aspect in the

United States, that our people could not understand why American pork should be prohibited in France while similar products were admitted from all other countries; that my Government and people had become impatient after waiting so long for a settlement always promised but never reached, and that the American Congress would move in the matter unless action was taken by the French Government.

Mr. Paul Bert said he was very glad I had presented the case so frankly and on broad grounds, and asked permission to state as frankly his position.

In the first place, he was not a protectionist; his political principles led him to favor competition, and upon that ground he would open all the French ports to our hog products.

In the second place, he did not believe in any of the absurd notions entertained by so many people in relation to trichinæ and trichinosis. He knew that dead trichinæ did not injure the meat; he knew that a *certain* amount of salt killed it; he knew that a *certain* degree of cooking destroyed it, and he knew that there were no epidemics of trichinosis in the United States, where the consumption of pork was larger than in any other country; but he also knew that live trichinæ existed in American pork, for he had seen some, and that neither the salting nor the cooking *always* killed. If trichinosis was a malady affecting only individuals, he would not notice it. Some people would take it, some would die, others would recover, but trichinosis when once introduced in a country might become epidemic, and this was what he wanted to guard against. American and German pork were infected with trichinæ, French pork was not. His only aim was to guard French pork in this respect. The true and proper mode of reaching this end would be to determine by scientific experiments the exact proportion of salt necessary to kill trichinæ, and the exact length of time during which the meat is to remain in the brine, but this can not be done in a few weeks, and not even in a few months. Inspection is, therefore, the only remedy available. But inspection on this side is attended with insuperable difficulties, because to be effective it must apply to every piece of meat. Now, on the other side this difficulty does not exist, because if trichinæ is not found in certain well-known parts of a whole hog the animal is free from it.

Mr. Paul Bert dwelt at length upon this subject in a scientific manner, which I regret I can not explain with his accuracy, but which struck me as having force. He assured me that he was moved purely by scientific consideration; that very far from having any intention of obstructing our commercial relations, he was desirous of increasing them in every way, and that he had not the slightest concern with the French packers. He promised to take up the matter earnestly and to spare no effort to devise some plan which would be acceptable to us; but repeated that in his opinion an American inspection would solve the difficulty much more easily than a French inspection. He was very careful, however, in pointing out that he meant a Government inspection, made by *national officials* under the supervision of the authorities at Washington, and not a local inspection made by State or city officers, in whom he would have no more confidence than in officials of the same kind appointed by the local authorities of France.

Mr. Paul Bert is to dine with me to-morrow with the president of the council and other members of the cabinet,, and I may have something more to report in relation to this subject by the next mail.

I have, etc.,

LEVI P. MORTON.

No. 104.

Mr. Morton to Mr. Frelinghuysen.

[Extract.]

No. 500.] LEGATION OF THE UNITED STATES,
Paris, February 8, 1884. (Received February 25.)

SIR:

* * * * * * *

I am happy to add that the French Academy of Medicine has, with but with one dissentient voice, voted that the Government may, without injury to the public health, withdraw the decree prohibiting the importation of American salted meats. Herewith you will find a printed slip giving the substance of their answer to the question propounded by the Government. I was informed by a member of the academy, some days since, of the probable result of the inquiry.

Mr. Ferry also made renewed inquiry regarding steps which had been taken to inaugurate American Federal inspection, the adoption of which system, he believes, would be the most satisfactory solution of the controversy.

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 500.]

THE LATEST VIEWS ON PORK.

The following are the answers of the French Academy of Medicine to the questions of the minister of commerce on the subject of the importation of foreign meat:

1. The symptoms of typhoid and trichinosis are so dissimilar in every respect that one epidemic could never be mistaken for the other.

2. The importation of foreign salt pork may be fearlessly authorized by the French Government, as it is clearly proved that no danger to public health has been caused by such importation.

3. Special international laws ought to be enacted by which guaranties against the importation of diseased meat may be made.

4. Possible instructions should be distributed to all vendors of foreign pork, who ought to be forced by law to hang them up in their shops in the same way that wine-shop keepers exhibit the statutes of the "Loi d'ivresse publique."

No. 105.

Mr. Frelinghuysen to Mr. Morton

No. 450.] DEPARTMENT OF STATE,
Washington, February 12, 1884.

SIR: Your dispatch, No. 483, of the 22d ultimo, reporting your interview on the preceding day with M. Ferry in relation to the pork question, has been read with interest.

With reference to your communication with M. Ferry in regard to the telegram to the London Times, it is proper for me to observe that that telegram does not accurately represent the views of the Executive as communicated to Congress. I therefore inclose herewith for your information a copy of Executive Document No. 70, House of Representa-

tives, Forty-eighth Congress, first session, and call your particular attention to the views expressed in my report to the President, adding that the President is much gratified to learn that the French Government is endeavoring to secure legislation allowing the importation of American pork into France upon terms favorable to the restoration of that branch of our commerce to its normal condition.

I am, etc.,

FRED'K T. FRELINGHUYSEN

No. 106.

Mr. Brulatour to Mr. Frelinghuysen.

No. 510.] LEGATION OF THE UNITED STATES,
Paris, March 6, 1884. (Received March 22.)

SIR: I have the honor to send herewith copy and translation of a bill published in the Journal Officiel of this morning in relation to the introduction into France of all salted, smoked, or preserved pork of foreign origin.

This bill, which was introduced by the minister of commerce, Mr. Herisson, and the minister of finances, Mr. Tirard, allows the importation of salted pork in France, through certain ports which are to be designated hereafter, provided said pork is fully cured, which is to be established by an inspection made by experts appointed by the local authorities and paid for by the importers at the rate of 5 cents per box or barrel, or 3 cents per piece of meat when not imported in boxes or in barrels.

The bill is prefixed with a long explanation (*exposé des motifs*), in which the Government states that it was upon the advice in favor of free importation, given by both the Academy of Medicine and the committee of public hygiene, that the President had canceled the decree of prohibition, and that it was re-issued only to comply with the desire expressed by the chamber in its sitting of December 22, 1883. The present state of things, however, has given rise to many complaints and inconveniences. The French minister at Washington has made known that retaliatory measures applicable to French wines had been introduced in Congress, and French chambers of commerce have remonstrated against the continuance of a measure which might have such on unpleasant result. The Government, therefore, being desirous of showing that it had no intention of prohibiting altogether these meats, and feeling convinced that the chamber had no such intention, has come to the conclusion that an inspection, establishing that the meats imported in France are *fully cured* (that it is very carefully prepared, well preserved, and healthy) would be satisfactory to the chamber.

A bill providing for such inspection is therefore submitted, with the expression of the desire of the Government that it will be acted upon as soon as possible.

The *expose* winds up with the following paragraphs:

> The question thus put is one the solution of which ought not to be delayed. From the moment the public health is assured no reason any longer exists to deprive the population of an alimentary substance to which they had become used.
>
> It is equally important to give to the United States a proof of our firm intention to favor exchange between the two countries. Already, upon the announcement that acceptable dispositions would not fail to regulate the importation of salted meats, a communication tending to the reduction of duties established in the United States

upon works of art has been transmitted to Congress and recommended to their attention. There is no doubt also that the velleities of prohibition of our wines and liquors would fall through if the dispositions in question were put into execution.

We will add that the Government of the United States appears on their side disposed to take measures with a view to assure the good state of preparation of exported meats, and they announce their intention to establish at the ports of shipment a special service of inspection.

The Journal Officiel contains also—

First, a long report in relation to trichinosis, made to the Academy of Medicine by Dr. Proust in the name of a commission composed of Messrs. Bonley, Bronardel, Chatin, Colin d'Alfort, and La Boulbene, all men of high scientific standing, who agree in stating that, no case of trichinosis having been detected in France and in England, the importation of American salted pork can be authorized in France.

Second, a report on the same matter by Dr. Colon d'Alfort and the debate of the academy pursuant to these reports, which debate ended by the adoption, without opposition, of the conclusion recommended by Dr. Proust and his commission.

The matter was brought yesterday before a committee of the house which seems to favor the proposition of the Government. A paper states this morning that Mr. Paul Bert has also accepted the proposition, but expressed the opinion that the Government should inquire "as to the practicability of concluding a diplomatic convention with the United States for facilitating the inspection of salt meats in America before shipment." Mr. Bert believed that "American inspectors might act in accord with the French consuls in America, and after inspection give certificates as to the soundness of each cargo, which would obviate the necessity of renewed inspection on arrival in France."

I inclose herewith a copy of the Journal Officiel of this day, containing the French text of the bill, with its introduction, the two reports to the academy, and the debate thereon.

I have, etc.,

E. J. BRULATOUR.

[Translation.]

Project of law having for object the establishment of a service of inspection of pork of foreign origin salted, smoked, or preserved by whatsoever process, presented in the name of Mr. Jules Grevy, President of the French Republic, by Mr. Herrison, minister of commerce, and Mr. Girard, minister of finances.

DRAFT-LAW.

ARTICLE 1. Salted pork of foreign origin, corresponding to the kind known in commerce under the name of "*fully cured*," may be imported into France through the points of the frontier on land and sea which shall be determined by decree.

ART. 2. At the moment of entry into France the importers shall have a statement made that the imported meats correspond to the kind above mentioned, that it is healthy, in a perfect state of preservation, and that the salting is complete.

Special experts designated by the prefects shall be charged to make this verification, according to the mode of examination prescribed by the minister of commerce.

The expense of the service of inspection shall be at the cost of the importers.

There shall be charged for inspection duty 25 centimes per case or cask, and 15 centimes per separate piece.

For minced meat, small and large sausages, etc., there shall be charged 3 francs per 100 kilograms.

The product of these duties shall be paid into the hands of the receiver of customs, who shall give receipt for the same, and distribute it among the experts, according to the provisions which shall be determined by a decree.

The custom-house authorities shall only allow the meat to be removed upon the certificate ot the experts, declaring that the conditions required by the first paragraph of the present article are fulfilled.

ART. 3. Shall be punished with imprisonment from two to six months and with a fine of from 100 francs to 500 francs those who shall introduce or attempt to introduce into France, without submitting it to the examination prescribed by the present law, pork of foreign origin, which shall be, besides, seized and destroyed.

Article 463 of the penal code is applicable to cases statutable by the present article.

ART. 4. Is and shall remain repealed the decree of the 18th of February, 1881, which prohibits the importation in France of salted pork of American origin.

No. 107.

Mr. Morton to Mr. Bayard.

No. 774.] LEGATION OF THE UNITED STATES,
Paris, May 13, 1885. (Received May 26.)

SIR: Although I have not recently communicated with the Department in regard to the prohibition in France of American salted pork, I have not neglected the matter, and have availed myself of every occasion to press the settlement of this question.

As I informed you, a bill is now pending before the Chambers which cancels the prohibitive measures and substitutes a general system of inspection applicable to all countries.

As this law, although not as liberal as I could have desired it, satisfies the French importers of American meats, I have urged its passage, and expressed to both the minister of foreign affairs and the minister of commerce my earnest desire of being enabled to inform you, before my departure, that the French Government supported it, and would endeavor to secure its passage at an early date.

In reply to these representations, I have received a communication from Mr. de Freycinet, a copy and translation of which are herewith inclosed.

I have, etc.,

LEVI P. MORTON.

[Inclosure in No. 774.—Translation.]

M. de Freycinet's note to Mr. Morton.

PARIS, *May* 12, 1885.

SIR: You were good enough to express to me the interest that the Government of the United States attached to the prompt removal of the prohibition affecting, upon entry into France, salted meats of American orgin, which withdrawal is inscribed in a project of law pending before the French Chambers. At the same time you acquainted me with your desire to be able to take with you, at the termination of your mission, the certitude that this question was settled, at all events in principle.

As you are aware, it was after a formal vote of the Chamber that the preceding cabinet was obliged to withdraw the decree of November 27, 1883, authorizing the introduction into France of American salted meats. The project of law which was afterwards laid before Parliament has for object the opening anew of French territory to the importation of American salted pork; in establishing at the entry a service of inspection. The commission charged with the examination of this project has decided in the same sense. At the present time it is for Parliament to decide, and the Government can only endeavor to hasten a settlement of the question.

I have recommended in a special manner this matter to my colleague, the minister of commerce, whose duty it is to come to an understanding with the reporter of the commission in order that the project may be shortly discussed. A solution must, therefore, soon be arrived at, and I take pleasure, sir, in giving you this assurance, to reply to the desire that you were good enough to express to me.

Receive, etc.,

C. DE FREYCINET.

No. 108.

Mr. Bayard to Mr. McLane.

No. 9.] DEPARTMENT OF STATE,
Washington, June 1, 1885.

SIR: Mr. Morton's dispatch, No. 774, of the 13th ultimo, concerning the bill pending in the French Parliament to repeal the law which prohibits the importation of American pork and to substitute a general system of inspection applicable to all countries, has been read with interest. The Department hopes to hear soon that the obnoxious prohibition has been canceled, or at least replaced by practical measures which impose no discrimination against imports of this class from this country.

I am, etc., T. F. BAYARD.

No. 109.

Mr. McLane to Mr. Bayard.

No. 24.] LEGATION OF THE UNITED STATES,
Paris, June 16, 1885. (Received June 30.)

SIR: Your dispatch, No. 9, acknowledging receipt of Mr. Morton's No. 774, in which he expressed confidence that the French Chamber would soon vote a law repealing the decree prohibiting the importation of American pork, substituting therefor a general system of inspection applicable to all countries, has been received.

I regret to say that I can not share the confidence expressed by my predecessor. My conversations with the ministers of foreign affairs and other officials have led me to fear that the Chambers now in session will not pass the law in question. Should my impression in this connection prove well founded, I will press the matter upon the French Government after the general elections, which will take place probably in October, with a view to induce an immediate termination of the existing prohibition by decree of the President, rather than to await the slow and uncertain action of the Chambers.

I have, etc.,

ROBERT M. MCLANE.

No. 110.

Mr. McLane to Mr. Bayard.

No. 36.] LEGATION OF THE UNITED STATES,
Paris, July 3, 1885. (Received July 16.)

SIR: Referring to my dispatch, No. 24, under date of June 6, 1885, I have to report a conversation with the minister of commerce, Mr. Legrand, and the chairman, Mr. Lalande, of the committee of the Chamber of Deputies, to whom was referred the bill repealing the decree prohibiting the importation of American pork.

The minister of commerce, although acknowledging that no exception on the score of health could be taken to this importation, thought that the short time left for legislation rendered the passage of the bill very

doubtful. He admitted, further, that the price of American pork being lower than that of either England or Germany, excited the fear of competition in the minds of the agricultural population in France, under whose influence the duties upon all meats have been greatly increased.

Mr. Lalande concurred generally in the views expressed by Mr. Legrand, but he promised to make an earnest effort to call up the bill for consideration by the Chamber of Deputies, and he promised, further, to see the minister of foreign affairs and the minister of commerce at an early day with the view of securing the support of the Government. This promise he has fully redeemed, and at the council of ministers held yesterday it was understood that the minister of commerce would facilitate to the full extent of his ability the efforts of Mr. Lalande to pass the bill.

I can not disguise from myself, however, that there is very great opposition on the part of the protectionists in the chamber to any relaxation of the existing prohibition, although it is not to be supposed that such an invidious distinction as now exists against the importation of American pork can be long maintained.

I have, etc.,

ROBERT M. MCLANE.

No. 111.

Mr. Bayard to Mr. McLane.

No. 20.] DEPARTMENT OF STATE,
Washington, July 9, 1885.

SIR: With reference to your dispatch, No. 24, of the 16th ultimo, in which you state that you do not share the confidence expressed by your predecessor in his No. 770, as to the probability of favorable action by the French Government in the matter of repealing the decree prohibiting the importation of American pork, the Department has learned with regret that Mr. Morton's predictions are not likely to be borne out by the events. You will, of course, continue to bear this important subject in view.

I am, etc., T. F. BAYARD.

No. 112.

Mr. McLane to Mr. Bayard.

No. 53.] LEGATION OF THE UNITED STATES,
Paris, August 7, 1885. (Received August 21.)

SIR: Referring to my dispatches Nos. 24 and 36, I have to advise you that the chambers yesterday closed their session without, as I anticipated, considering the bill providing for the inspection of foreign meats and for the admission of American salted pork. This failure is accounted for by the pressure of other questions. For myself, however, I have to confirm the opinion already expressed to you that the influence of the French protective interests debarred the Government from any sincere effort to accomplish the desired legislation.

After the elections are held, which now engross the attention of all parties, I shall bring this subject to the attention of the Government,

with the view of securing a repeal of the prohibitive decree, urging upon it its paramount obligation to issue such a decree whenever the fact is apparent that no sanitary consideration calls for its continuance, unless, indeed, the result of these elections should render it expedient to defer the consideration of this question.

I have, etc.,

ROBERT M. MCLANE.

No. 113.

Mr. McLane to Mr. Bayard.

[Extract.]

No. 58.] LEGATION OF THE UNITED STATES,
Paris, August 13, 1885. (Received August 26.)

SIR: Referring to my dispatches Nos. 24, 36, and 53, I had a full conversation yesterday with Mr. de Freycinet in reference to the failure of the chambers to act upon the bill providing for the inspection of foreign meats and for admission of American meats after such inspection.

I explained to Mr. de Freycinet the view I took of this question, considering the original prohibition as due to sanitary considerations exclusively, and, therefore, when these sanitary considerations no longer existed, it was manifestly the duty of the Government to repeal the decree, leaving American meats to be imported subject only to the same duties and inspection as were provided by existing laws for all foreign meats.

Mr. de Freycinet did not contest the soundness and equity of this view of the subject, but he referred to the fact that when the French Government proposed to act upon this view the chambers interposed objections, and it was then generally conceded that the prohibitory decree could not be repealed until a more satisfactory provision could be enacted for the inspection of imported meats. The present minister of commerce, with whom I have had full conference, entertains this view of the subject, and would not now consent to sign a decree repealing the prohibition without the enactment of such improved inspection.

Mr. de Freycinet observed that these views of the minister of commerce had been generally accepted by his colleagues in the Government, and that he had himself entertained the hope that the inspection law would have been passed before the adjournment of the chambers.

The minister of commerce is himself an earnest protectionist. He represents in the chambers a constituency in the north of France, where the agitation against the importation of foreign meats is very great and active.

Mr. Ponyer Quertier, a former minister of finance, and a very influential statesman, is at this time engaged in a series of conferences or discussions in this region, urging upon the agricultural population the expediency and necessity of prohibiting the importation of all foreign meats, especially of American meats, which even at the present rate of duty would undersell all domestic and all other foreign meats.

These considerations have great weight, I think, with the minister of commerce, and indispose him to make concessions in the premises. Therefore it is that, while admitting to me that he would make no invidious distinction against the importation of American meats, yet he would not repeal the existing prohibition until he has the necessary

legal authority to insure the public health when such importation is permitted from all countries on equal terms.

* * * * * * *

As stated in my No. 53, of the 7th instant, I will, after the elections are held, consider the expediency of renewing the discussion of this question, but it is not likely it can be renewed with any advantage before the new chambers have met, and have fully completed their organization, which can not be before the end of the month of October.

I have, etc.,

ROBERT M. MCLANE.

No. 114.

Mr. Bayard to Mr. McLane.

No. 35.] DEPARTMENT OF STATE,
Washington, August 31, 1885.

SIR: Your dispatch No. 58, of the 13th instant, giving an account of your interviews with Mr. de Freycinet and the French minister of commerce, concerning the decree prohibiting the importation of American pork, has been read with regret, in view of the prejudicial effect upon public opinion in this country of any announced or evident policy on the part of foreign countries, and especially a friendly power like France, to maintain a prohibition not warrantable by the only considerations to which they appeal for justification.

I am, etc.,

T. F. BAYARD.

No. 115.

Mr. McLane to Mr. Bayard.

No. 73.] LEGATION OF THE UNITED STATES,
Paris, September 25, 1885. (Received October 9.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 35, under date of August 31, 1885, in reply to my No. 58, of August 13.

Although I have not modified the opinion expressed in that dispatch as to the intention of the French Government, I have thought it judicious, in pursuance of the intimation given in my No. 53, of August 7, to submit to the consideration of this Government a résumé of the entire discussion of this question since the original decree of prohibition, concluding with the renewed statement of my own opinion that the failure of the Chambers to act upon the bill providing for the inspection of foreign meats, and for the admission of American meats after such inspection, imposed upon the Executive of this Government the duty of repealing the original prohibitory decree, no longer warrantable, as you well express it, by the only considerations to which it appeals for justification.

I handed this résumé to the minister of foreign affairs in person two days ago, advising him that you regretted the failure of this Government to remove the invidious distinction against the United States, because of its prejudicial effect upon public opinion there. and I added a

very strong expression of my own conviction that this failure on their part would not only alienate to some extent the friendly feeling now existing between the two countries, but would excite the disposition to retaliatory legislation against the importation of French products.

Mr. de Freycinet did not concede the point that the adjournment of the Chambers relieved the Executive from its obligation to defer action until the passage of a law providing a satisfactory system of inspection, as he insisted that the legislature, as a body, never ceased to exist, and could in no sense be said to have expired, since the pending legislation could be continued by the new Chamber from the point at which it was left by the one which had adjourned in August. Nevertheless, upon all the other points involved he seemed disposed to concede the reasonableness of our contention.

I determined to present this résumé of the question at this time because the new Chamber, though meeting in November, will not engage itself in matters of current legislation until January, when the powers of its members shall have been verified and the new President of the Republic shall have been elected.

I thought it desirable in this manner to exhaust the discussion, as far as the present Government of this country was concerned, so that the President of the United States might be able, in December, in his communication to Congress, to report, if he deemed it expedient, the actual relation of the two Governments to this question.

* * * * * * *

I have had some further conversation with Mr. de Freycinet this morning, and while he declines to give any information as to the final determination of the Government, he promises to bring the matter to the special attention of the minister of commerce, and make it a subject of special consideration by the council of ministers; and in making this statement he dwelt upon the embarrassment he felt at taking any decision in the premises which conflicted with the deference due from the Executive to the legislature, having in view the request of the latter to await the passage of a law for the efficient inspection of all imported meats.

Herewith inclosed I send a copy of my note to Mr. de Freycinet, presenting a résumé of this question, for which I am indebted to Mr. Vignaud, who was present with my predecessors in all their conferences with the ministers of foreign affairs of this Government, and who analyzed with care the debates both in the Chamber and in the Senate upon the bill for the efficient inspection of all imported meats.

I have, etc.,

ROBERT M. MCLANE.

[Inclosure in No. 73.]

Mr. McLane to Mr. De Freycinet.

LEGATION OF THE UNITED STATES,
Paris, September 23, 1885.

SIR: On the 18th of February, 1881, the French Government, acting upon the alleged discovery of trichinæ in America, prohibited all pork imported from the United States. This step on the part of France was followed by several other states of Europe, which based their action upon the same motive. A great American industry, giving a prosperous export trade, was thus denounced to this world as a source of danger to public health. Considering that in the United States, in Great Britain, and in Belgium there were millions consuming American pork without any danger to life or to health, my

Government, through General Noyes, who was then United States minister at Paris, protested against the prohibition, and urged a reconsideration of the subject. (General Noyes to M. Barthelemy St Hilaire, February 22, 1881.)

In the mean time my Government, although satisfied that the action of France was unwise and injurious, proceeded to investigate the matter. It did so thoroughly, and the result appeared perfectly satisfactory. Not only were the alleged ravages of trichinæ disproved, but it was shown that unusual precautions had been taken to insure that none but the healthiest animals should be slaughtered for packing, and that, although trichinæ had been detected in sundry cases, it was very far from being as widespread as in other countries, and that the American process of packing and curing secured to the consumers of American pork a much greater immunity from trichinosis than that enjoyed by consumers of European pork.

The facts thus elicited constrained my Government to represent to yours that the decree prohibiting the importation of pork from the United States was unwarranted, and that the United States Government deemed itself rightfully entitled to a prompt and effectual modification of the prohibitory action of France. (General Noyes to M. B. St. Hilaire, June 22, 1881.)

In March, 1882, the Chamber of Deputies passed a bill repealing the prohibitory decree and providing for a liberal system of inspection.

At this time it was well established in France that trichinæ which may be found in American pork is absolutely inoffensive, the salt killing the animalculæ, or reducing it to such a state that the slightest cooking destroyed it. French scientists of the highest grade and reputation admitted the fact; the minister of commerce, Mr. Tirard, was reconciled to the repeal of the decree of prohibition, and the Academy of Medicine, as well as the board of health, so advised the Government.

The Senate nevertheless rejected the bill, but its action was well understood to be based not upon any doubt as to the innocuousness of American pork, but simply upon the ground that the Government could reverse the decree of prohibition by an executive decree without any legislation to that effect.

In March, 1883, Mr. Morton re-opened the subject with Mr. Challemel Lacour, who was then minister of foreign affairs. He reminded him that the decree prohibiting American salted meats had now been in force for more than two years, while similar products from other countries were freely admitted; that there could be no valid reason why this exceptional measure should be applicable to the United States. He expressed the hope that the French Government, after considering all the evidence before it, would place the United States upon the same footing as all other friendly nations by revoking the obnoxious decree.

This earnest request not being noticed by Mr. Challemel Lacour, on the 20th of October, 1883, it was renewed in emphatic terms. On November 15, 1883, Mr. Morton received from Mr. Jules Ferry the positive assurance that the French Government was animated with a strong desire to give this question a most liberal solution and at the earliest possible moment.

Two weeks after November 27, 1883, a decree was issued revoking the prohibitory one of February, 1881, no condition being attached to the revocation. The minister of commerce, in a circular to the prefects, simply stated that the committee of public hygiene had ascertained both scientifically and experimentally that pork loses all danger of infection by trichinosis if it is salted with care, and that the only thing that the authorities had to do was to be sure that the imported pork put on the market was fully cured.

This matured action was not well received in the Chamber of Deputies, and on the 22d of December, 1883, after a long debate, it passed a resolution expressing the wish that the admission of American pork be delayed until the adoption of a bill providing for a system of inspection of all foreign meats. In consequence of this resolution a new decree, December 28, suspended the application of the one canceling the original measure of prohibition.

In June, 1884, the law referred to was introduced in the Chamber, but many months having passed without its being called up, Mr. Morton again pressed the matter, and both your excellency and Mr. Legrand gave him the assurance that it would shortly be discussed, and that a solution would soon be arrived at. Under date of May 12 your excellency confirmed in writing these assurances to Mr. Morton, all of which he duly communicated to his Government. The Chamber, however, adjourned without any change having taken place in the measures so unwarrantably adopted four years ago.

I respectfully, but earnestly, submit that this discrimination against an important branch of the trade of a friendly nation is, under the circumstances, absolutely unjustifiable, and that it can not be maintained without alienating in some degree the good understanding which has so long existed between France and the United States.

I do not in the least contest the right of the French Government to close its ports to an unwholesome product, or to shut its markets to all foreign products of a certain kind; nor do I deny its legitimate right to levy upon such products any duty it

may think proper; but the case here is quite different. It is no longer contended that American pork is unhealthy, yet the existing prohibition applies only to it.

I take the liberty therefore of urging the propriety of settling this long-pending difficulty by the same mode which created it—a decree of the executive rescinding the one establishing the prohibition.

I can understand well that your Government hesitated to take such a step in presence of a resolution of the Chamber requesting delay until the passage of a proposed bill applicable to the case, but the Chamber which made this request failed to pass this bill, and as its powers have expired it can never do so.

I avail, etc.,

ROBERT M. MCLANE.

No. 116.

Mr. Bayard to Mr. McLane.

No. 48.] DEPARTMENT OF STATE,
Washington, October 17, 1885.

SIR: Your dispatch, No. 73, of the 28th ultimo, reporting your action in making application to the foreign office for an order canceling the prohibition of the importation of American pork into France, has been received and read with interest and satisfaction.

Your presentation of the subject as contained in your note of the 23d of September to Mr. de Freycinet is approved. All the points appear to be well taken, except possibly the suggestion that as the legislature which adopted the resolution requesting the Executive to delay its repeal until a law providing inspection should pass had adjourned without enacting such a law the force of the law was exhausted.

If, as Mr. de Freycinet states, the life of the Chamber of Deputies is, like that of our Senate, continuous, and a pending measure can be taken up in any session at the point where it rested on previous adjournment, this argument may lose some of its force. As to this we can not undertake to say how far the French legislative rule differs from our own, but without founding argument on the technical strength of this point (which would undoubtedly apply in the case of the Congress of the United States) even stronger equitable considerations present themselves.

A resolution of this character is advisory merely; it has not the continuing force of legislation. A reasonable limit is to be assigned to the duration of its effects, and they should not outlive the legislature which so distinctly announced its intention to provide an alternative remedy and failed to do so.

The important interests of two peoples should not be indefinitely denied consideration because of inaction in such a case, and it may be justly contended that the Executive is fully warranted in resuming all the control of the matter it had before the conditional request of the legislature was made, in which case the power of the Executive is ample. This view may be presented should an occasion arise for a further discussion of the subject with the foreign office.

I am, etc.,

T. F. BAYARD.

No. 117.

Mr. McLane to Mr. Bayard.

No. 108.] LEGATION OF THE UNITED STATES,
Paris, November 20, 1885. (Received December 15.)

SIR: Soon after the the receipt of your dispatch, No. 48, under date October 17, 1885, I had some conversation with Mr. de Freycinet, in which I presented in substance your observations upon my No. 73, of the 25th of September, and my note to Mr. de Freycinet of the 23d of the same month.

This view I had already presented to him as an alternative, when I contended that the adjournment and dissolution of the old Chamber relieved the Executive from all obligation or deference to its opinion as embodied in the resolution it had adopted in opposition to the decree repealing the original decree of prohibition against American salted meat.

He, on his part, persisted in his original opinion that the Executive was not free to take action, but, in reply to the considerations of equity stated in your dispatch and presented by me in conversation, he could only urge that a more perfect system of inspection was necessary before American meat could be imported. Such at least, he said, in reply to my observations that no such necessity existed, was the opinion of many members of the legislature and a large portion of the French people, and he again disclaimed for the Government any purpose or intention of excluding American meat for any other reason than one connected with the sanitary elements of the question.

He said he had presented the subject to the council of ministers and had embodied the substance of my note to him of the 23d of September in a communication he had addressed to the minister of commerce. He had not yet received a reply from that minister, and he did not now expect to receive one, as he had tendered his resignation to the President in consequence of his defeat as a candidate for the Chamber of Deputies at the recent elections.

I naturally expressed regret at this delay in action, whatever might be the cause thereof, reminding Mr. de Freycinet that our Congress would meet on the first Monday in December, and it would be expected of me by that time to give my Government information as to the view the French Government had taken of my note of the 23d of September.

He said he would bring the subject to the attention of the new minister of commerce as soon as he was appointed, and he hoped to be in condition to communicate with me before the middle of November.

Not having heard from him on the 16th of November, I addressed him a note. I have received this morning his reply. Copies and translations of these two notes are here inclosed.

Mr. de Freycinet's note presents no new view of the subject, though it dwells upon the sanitary considerations upon which the French Government rely for justification as regards the original decree of prohibition.

I have nothing myself to add to the views I have heretofore communicated to you on this subject, but I feel it my duty to again note the great influence which is exerted upon both the legislature and the executive by those who represent the agricultural interests of France to raise to a prohibitory point the duty upon foreign meats and cereals, and to repeat my opinion that it is to this influence, rather than to the sanitary considerations involved, that American salted meats are still ex-

cluded from France, from which it necessarily results that much time will be spent in the deliberations of the legislature before final action is taken on this question. Meanwhile the presidents of the chambers of commerce of Bordeaux, Marseilles, and Havre are protesting against the decree of prohibition with energy and effect.

I have, etc.,

ROBERT M. MCLANE.

[Inclosure 1 in No. 108.]

Mr. McLane to Mr. de Freycinet.

LEGATION OF THE UNITED STATES,
Paris, November 16, 1885.

Mr. MINISTER: In the conversation which we had together a few days ago in regard to the prohibition of American salted meats, your excellency was kind enough to tell me that you had submitted the question to the council of ministers, as well as to your honorable colleague, the minister of commerce, who had not felt himself authorized to take any decision at the moment he was going to leave the ministry.

Pursuant to the observations which I have submitted to your excellency, I take the liberty of suggesting that in view of the new assembling of the Congress of the United States, it would be an advantage if I could be informed as soon as possible about the decision which will be come to, whether it may be decided, as I hope, to do away with the prohibition by a decree, or whether it may be necessary to await still longer legislative action. In both cases, in fact, it is important that my Government may be informed in advance of the intentions of yours. I am persuaded that your excellency will appreciate the manner in which I view the subject.

I seize this apportunity to thank your excellency for the disposition you have shown of terminating in a fair manner this little misunderstanding. I hope we shall not lose your kind services in this good cause.

Please accept, etc.,

ROBERT M. MCLANE.

[Inclosure 2 in No. 108.—Translation.]

Mr. de Freycinet to Mr. McLane.

PARIS, *November* 28, 1885.

SIR.: By a letter dated the 16th of this month you have been good enough to express to me your desire of being put in a position to inform your Government as soon as possible of the decision which shall be taken by the Government of the Republic towards regulating, either by a decree or by a law, the rules of entrance into France of American salted meats.

As you know, sir, the decree of the 27th November, 1883, which authorized its importations into France of American salted meats, had to be withdrawn by the preceding cabinet in consequence of a formal vote of the Chamber, which delayed the admission of this product until the adoption of a law establishing a service of inspection over foreign meats. The Government of the Republic was thus placed under the obligation of refraining from regulating the question by decree; but in order to hasten its solution as much as in its power, it hastened to lay before Parliament a bill relating to the service of inspection, the establishment of which had been decided upon in principle by the chamber. This bill was referred to a committee, which modified it after examination, and then made it the subject of a report favorable to the adoption of the provisions thus remodeled.

Such was the state of the question when the chamber arrived at the limit of the powers without having been able to bring up for deliberation the propositions of its committee. My colleague, the minister of commerce, has had to consider since then whether it would be proper to lay before the new chamber the bill which had been submitted to its predecessor, or that one which the special committee had substituted for it, and the result of this examination is that it would be preferable to propose to Parliament a more complete combination of provisions on which the consulting committee of public health of France has been now invited to deliberate. There would be reason to fear, in fact, that the bills formerly prepared would not meet with the approval of the Chambers in view of the objections which they raised, and it is desirable that the bill which shall be presented may be drawn up in such a manner as to pre-

vent, as much as possible, every difficulty, in order that the vote may be obtained with as little delay as possible. The new studies prescribed by Mr. Dautresme have no other aim.

I will be obliged to you, sir, if you will kindly communicate these explanations to the Government of the Union. I beg you to give it at the same time the assurance that the Government of the Republic has decided to proceed immediately to the elaboration of the bill in question, and to demand of the chamber that it shall be brought up for debate as promptly as possible.

Accept, etc.,

C. DE FREYCINET.

No. 117½.

Mr. Dufais to Mr. Porter.

REPORT OF CONSUL DUFAIS ON PROHIBITION OF PORK.

I inclose a translation of some editorial remarks of Mr. Lécureur in the journal Le Havre, and of a notice of an interview of the two Havre deputies, Messrs. Felix Faure and Julius Siegfried (the latter being also mayor of Havre) and Mr. Lalande, deputy from Bordeaux, showing that they had a very favorable hearing.

It seems, therefore, likely that a solution of this vexed question may soon be expected.

F. F. DUFAIS,
Consul.

UNITED STATES CONSULATE,
Havre, December 23, 1885.

American retaliation.

[From Le Havre, November 17, 1885.]

PARIS, *November* 10, 1885.

To the MINISTER:

The decree of the 28th of December, 1883, prohibiting salted meats of American origin, has weighed heavily on our export trade since that time, and the imposition of retaliatory measures seems to-day imminent.

These measures would seem up to a certain point justifiable, inasmuch as it has been acknowledged that the question of hygiene ought not to be discarded as of no value.

We have been informed in a most distinct manner by our correspondents that the Government of the United States wishes to obtain the abolition of this prohibition before the meeting of Congress, the 1st of December next, and that if at that time the question has not been determined, Congress will take such measures of retaliation against our wines, brandies, and silks that all exportation of those articles will become impossible.

Already the fear alone of new duties has affected in a sensible manner our trade with the United States.

Our duty of representing the commerce of exportation, so profoundly interested in this matter, is to insist with the greatest energy that the Government, which ought to defend the general interests of the country, shall take this affair to heart and ought not to allow such a course of trade to stop, the loss of which would lead to the ruin of merchants, would cause misery of many families, and the despair of 200,000 silk-workers, who are already driven to extremity.

The amount of importations of salted meats was about thirty millions, while the exportations of the threatened articles amounted to two hundred millions. The placing together of these figures shows of how much interest the importation of these things from the United States is.

It is now time to consider this matter, and we can not doubt that our Government will recognize the exceptional gravity of this subject.

We are assured that a copy of this document has been sent to the chambers of commerce and is at the moment under consideration. A graver subject has never been submitted to their deliberations. Indeed, on account of these threatened retaliations by the United States, the little question of salt pork becomes almost a question of life and death to the industries and commerce of France.

Is it necessary at the price of seeing all French products repelled by the American Union to obstinately prohibit the entrance of salt meats at our sea-ports, which nevertheless enter by fraud across our land frontier? Is that good government? The question of health can only be thought a game, since in reality the Tirard decree does not prevent in any way the American meats from being delivered to the consumers as they were before.

It is vain to set up in opposition the idea of protection to national production, since French salt meats have not ceased to meet in our markets the competition of American pork sent from Antwerp and Hamburg, after a simple change of marks. It would, indeed, be more than simple-minded to believe that the thirty millions representing the value of American meats introduced before through the sea-ports are put up by the French salters. The truth is that they have had only a very small part of the cake, and as to the producers they have still less, the price of live animals being less than it was when the foreign importation was more important. Are we going to sacrifice our two hundred millions of exports for hygienic or financial advantages of no consequence, or which in any event are so debatable?

One can scarcely believe that such a false step will be taken, particularly when the industry and commerce of the country are in the last throes. Would not Parliament, instead of abandoning itself to Byzantine struggles, which only aggravate a situation already deplorable, do better by occupying itself with questions of business on the intelligent solution of which depends our salvation?

Let us still hope that good sense and patriotism will finally win.

A. LÉCUREUR.

[Translation of an article in Le Havre of November 21, 1885.]

Mr. Felix Faure, Julius Siegfried (deputies from Havre), and Mr. Lalande, of Bordeaux, were received yesterday by Mr. de Freycinet, the minister of foreign affairs, and by Mr. Dautresme, minister of commerce, and conferred with them on the question of American salted pork.

These deputies represented to the members of the Government the particularly grave consequences of the prohibition. They insisted upon the point that the United States had already adopted retaliation by raising the tariff on French produce, and that they were about taking new measures in the same direction, especially on silk manufactures, gloves, Paris articles, etc.

Beside this the falling off in freights produces a very positive decline in the situation of maritime industry and in the commerce of our ports.

In fact, they insisted upon the point that it was absolutely proven that American salt pork offered no danger whatever to the consumer, because it is continually imported into the other European countries, and even into France itself, where it finds its way through the land frontier after a simple change of packing. They requested the minister to take the projects of law up again, which the Government had during the last session brought before the legislature and which on the favorable report of Mr. Rodat was already at that time expected to be discussed.

Mr. de Freycinet expressed himself as favoring the withdrawal of the prohibitory measures, and Mr. Dautresme asked for a delay of a few days to study the question.

In continuation of my dispatch No. 36, of December 23 last, I have the honor to report that the two Havre deputies, Messrs. Felix Faure and Jules Siegfried, had a consultation on the 25th of January with Mr. Lockroy, the new minister of "commerce and industry."

Calling yesterday upon Mr. de Guerhoënt, who had assisted them, he informed me privately that the report of the hygienic commission, to whom the question in its sanitary aspect has been submitted by the minister, his predecessor having promised but omitted to do so, has been favorable to the annulment of the prohibition, and that probably in a week or two the Government would bring in a bill in the Chamber of Deputies to that effect.

This bill in the course of parliamentary procedure will then go before a committee, each one of the ten or twelve bureaus of the Chamber choosing a constituent member of it, whose duty it then will be to examine and report upon it. The process is a slow one, and it is quite doubtful what the protective temper of the Deputies will do. At any rate, it is Mr. de Guerhoënt's opinion that the fate of such a bill will not be decided for some weeks, and may be not for some months; he appears to have serious misgivings about the result, but he has not lost courage, and is energetically following up the slight advantage gained so far. At all events at best the re-admission of Americon hog products at an enhanced import duty is agitated, and he would consider the greatest inducement for a favorable solution of the question on the part of the French Chamber to be a lowering of the duty on French produce on the part of the American Congress.

F. F. DUFAIS,
Consul.

UNITED STATES CONSULATE,
Havre, France, February 4, 1886.

No. 118.

Mr. Dufais to Mr. Porter.

No. 73.] UNITED STATES CONSULATE,
Havre, July 21, 1886. (Received August 2.)

SIR: Notwithstanding many abortive attempts on the part of commercial and labor organizations to induce the French minister of commerce to repeal the edict against the importation of American pork, the chambers of commerce of Bordeaux and Havre made a new effort in that direction.

Several other chambers were represented at a late meeting at Paris, at which M. Seigneuret of Bordeaux read a dispatch from the United States announcing that the Senate had passed a bill authorizing the President to prohibit, by proclamation, the importations of goods or produce from European countries which made vexatious discriminations against American produce.

The delegates, after discussing the question, called upon M. Lockroy, the minister of commerce. Among them M. Brunet, the vice-president of the Bordeaux Chamber of Commerce, and M. de Guerhoënt, the delegate from Havre, used every argument to induce him to withdraw the decree in the same manner that it had been issued, viz, by proclamation and without consulting the Chambers, but all to no purpose.

M. Lockroy acknowledged that not only a great mistake, but also an injustice had been committed, and that he was very much in favor of the repeal of the measure, but the feeling in the Chambers was so decidedly protectionist that not even the enhancement of the duties would satisfy them. They wanted absolute prohibition.

This being so, it was useless to propose the change which he himself had advocated; any measure tending to re-admit pork would be voted down, and the protectionist tendency of the Chambers was such that not only provisions, but every other agricultural product, would be protected by higher import duties.

It is so evident that nothing will be done on the part of the present Government to do away the discrimination against the commerce of a

friendly nation that all hopes of a favorable change have been abandoned by those opposed to the prohibition. The millions of ill-paid and scantily-fed laboring men of France will continue to pay tribute to the French hog-raising farmer.

F. F. DUFAIS,
Consul.

No. 119.

Mr. McLane to Mr. Bayard.

[Extract.]

No. 403.] LEGATION OF THE UNITED STATES,
Paris, May 12, 1887. (Received May 27.)

SIR: In a conversation with Mr. Flourens yesterday at the foreign office, I touched upon the relation of France with the different European countries in reference to the exhibition to be held in 1889, and I expressed my regret that the French Government had taken so little interest in the legislation proposed for the inspection of foreign salted meats. The repeal of the prohibitory decree excluding American meat having been made dependent upon the enactment of such a law, I felt at liberty to recur to the subject whenever circumstances seemed in my judgment to render such reference appropriate. In recalling his attention to this subject I said that while full liberty was conceded to France to tax American meat at as high a rate as the meat of any other country, its exclusion could not fail to create a very unpleasant feeling when the sanitarial consideration which originally caused its exclusion no longer existed. He listened with great attention and interest, recognizing, as M. de Freycinet always did, that the real obstacle was in the strong feeling which dominated in the Chamber of Deputies in favor of protecting all agricultural products and which always found a representative in the cabinet. He said his colleague, M. Develle, at the present time represented this opinion very strongly, and though M. Lockroy, the actual minister of commerce, might be favorable to an immediate repeal of the prohibitory decree, he would encounter opposition from several of his colleagues. Mr. Flourens requested me to confer with Mr. Lockroy at my earliest convenience, and it was agreed we would renew our conversation after I had conferred with Mr. Lockroy.

I have, etc.,

ROBERT M. MCLANE.

No. 120.

Mr. Mason to Mr. Rives.

No. 195.] UNITED STATES CONSULATE,
Marseilles, February 4, 1888. (Received February 20.)

SIR: During the month of June last there appeared among the swine in the vicinity of Marseilles a new and mysterious disease which has since assumed the proportions of a general and serious epidemic. Its symptoms were coughing, diarrhœa, loss of appetite and strength, and in some cases the appearance of red blotches on the skin.

A large majority of the hogs attacked died within a few days, and the farmers and swine growers of this region, unable to resist the spread of the epidemic, attempted to escape it by selling off their hogs. On the 21st of September a large fair was held in Aubagne, a small city about 10 miles from Marseilles, at which several thousand infected hogs were sold, nearly all of which have since died and spread the epidemic throughout this department and as far north and westward as Lyons and Beziers. It is estimated that more than 30,000 swine died of the malady in this department during the last four months of 1887. The entry and sale in Marseilles of hogs and freshly killed pork from the surrounding country was prohibited in December by municipal decree, and until some effective remedy for the disease can be found hog-raising is practically at an end in this part of France.

When the epidemic became serious, two experts, M. K. Conil and Chantemesse, from the Society of Biology at Paris, were sent by the minister of agriculture to make a thorough study and report their conclusions to the Government. Their observations are not yet concluded, but at a recent meeting of the municipal sanitary committee they presented an informal report of progress, from which, as well as from personal inquiry and observation, the following facts have been derived:

They pronounce the disease "contagious pneumonia," and they believe it to be identical with the *Schweine Seuche*, described by Loeffler and Schütz, and the "swine plague" which has been investigated by Professor Salmon in the United States. At first they were inclined to believe it to be what has been hitherto known in France as the *rouget*, but certain indications disprove this theory, and the disease is now recognized as a new and highly contagious malady, the origin of which no one has satisfactorily explained. There is no importation of swine to Marseilles from any country where this disease or anything like it has been previously known, and certainly no pork products, except lard, are admitted to France from the United States. Like the endemic cholera of the Mediterranean ports, it seems to have been of local origin.

Thus far, as already indicated, no effective remedy for swine affected by this disease has been announced. It was soon noticed, however, that such animals as had been slightly attacked and recovered were thereby rendered impervious to further contagion. This naturally suggested the idea of vaccination with attenuated cultures of the virus as a preventive, and experiments have been made in this direction so far as to show that rabbits, pigeons, and guinea-pigs die almost without exception, when inoculated with the original virus at its full strength, but survive in most cases when the material used is a culture attenuated by successive cultivations in gelatine or juices of meat.

The malady is extremely contagious, both by inhalation and absorption. If inhaled, the ulcers are found most numerous and malignant in the lungs; if the contagion be swallowed with food or drink, they appear in the stomach and intestines. A single diseased hog, unless promptly removed when the first symptoms appear, is sufficient to quickly contaminate not only an entire herd, but the premises in which they are kept.

It is abundantly demonstrated that the germ of infection is a microbe or baccillus which generates rapidly and in myriads among the saliva, the fecal matter, and other secretions of diseased animals. Experiments have shown that the microbe resists stubbornly several leading disinfectants, among which are sulphate of iron, chloride of zinc, lime water, corrosive sublimate, and spirits of turpentine, and succumbs but

slowly to sulphate of copper, oxalic acid, and pure alcohol. The only two chemicals which have been found to destroy it promptly and certainly are hydrochloric and phenic acids, and the most effective wash for contaminated styes and hog-yards is a solution of 4 parts phenic acid and 2 parts hydrochloric acid in 100 parts of water.

Desiccation seems to have but little effect upon this stubborn organism. A drop of virus from a diseased animal has been evaporated and the residuum kept absolutely dry for fifteen days, and then, upon being dissolved in meat juice, has rapidly developed the microbe of contagious pneumonia.

The one other effective agency of destructton is heat. The germ is effectually destroyed by a temperature of 70° centigrade, and it thus happens that the meat of a hog which had been affected by this disease is not necessarily deleterious, provided it has been thoroughly cooked, as all pork products should invariably be, before being eaten.

It is impossible to predict to what limits the present epidemic in Southern France may extend before it can be checked. Thus far the only remedy that has been even suggested is vaccination, and this has reached only the experimental stage. The vaccine has undoubtedly been found and applied s ccessfully to several species of small animals, such as guinea-pigs and rabbits, but the conditions under which it can be safely applied to swine are yet to be demonstrated, since it appears that hogs, when even slightly contaminated by contact with the disease, may live indefinitely, but can not be fattened. Even a small degree of infection is sufficient to destroy their appetite and the power to assimilate food beyond the barest actual requirements of existence.

Hitherto the principal effort has been to restrict the spread of the epidemic. Traffic in hogs has practically ceased in this part of France, and there seems to be but one method by which the farmers and pork raisers whose premises have been infected can re-establish their business. This will be to slaughter or banish all the swine now in their yards and pens, then cleanse, air, and disinfect the premises thoroughly, and re-establish their stock with clean, healthy hogs, imported from localities sufficiently remote to warrant their freedom from previous contamination.

FRANK H. MASON,
Consul.

No. 121.

Mr. McLane to Mr. Bayard.

[Extract.]

No. 545.] LEGATION OF THE UNITED STATES,
Paris, February 9, 1888. (Received February 20.)

SIR: I have the honor to acknowledge the receipt of your instruction, No. 289, concerning the decree of the French Government prohibiting the importation of American pork into France, and I have read carefully the dispatch from Mr. Dufais, our consul at Havre, relative to alleged renewed efforts at Havre to bring about a repeal of the decree in question.

I can not hear of any effort that has been made in that direction beyond the newspaper article, translation of which was communicated to

you by Mr. Dufais, but which has not as yet attracted the attention of the Government here.

I addressed a note, however, yesterday to Mr.Flourens, advising him that I had heard from you, under date of January 23, recalling my attention to this long-pending question, and reminding me that it has lost none of its interest, and that it was your desire that no effort should be omitted to induce a favorable change in the apparently needless and, in some aspects, unfriendly policy pursued by France in relation to one of the greatest export staples of the United States. I reminded him that under date of September 23, 1885, in a note to the foreign office, I had reviewed very fully the case, which had been even then fully considered by my predecessor. I reminded him further that I had never ceased to urge upon the French Government a repeal of the prohibitory decree, and more particularly that I had recently left with him verbal notes summing up its history and requesting that it be disposed of in a liberal spirit.

In this connection it is of some interest to advise you that when I presented the President's letter to President Carnot upon his election as President of the French Republic I embraced the opportunity to call his attention to this question, and noting to him the fact that I had pressed the matter upon Mr. Grevy's attention in 1885, and that I had reason to believe that the cabinet over which Mr. de Freycinet presided was well disposed to submit, for the President's consideration, a decree repealing the prohibition, but refrained from doing so in the face of the very strenuous opposition of the protectionists in the Chamber of Deputies, who were chiefly represented at that time by Mr. Dautresme, now minister of commerce. The President expressed his desire to satisfy the complaint I addressed to him upon the exclusive discrimination against the United States contained in this prohibitory decree. The President knew that I had recently conferred with Mr. Flourens on the subject, and also with the late prime minister, Mr. Rouvier, before his resignation, and that I had frankly communicated to both my own opinion that, notwithstanding the good feeling of my Government to the French Republic, whenever this question should become the subject of debate in Congress it would excite a very bad feeling, and would be accepted either as unfriendly to the United States or as the evidence of a very illiberal and selfish policy, as no one now in either country believed that the sanitary considerations which were the origin of this prohibition now existed.

I would be happy to conclude this dispatch with the expression of my opinion that the efforts which I have not ceased to make since I assumed charge of this mission would be successful. I dare not do so, however, for we are in the midst of great political agitation in France in reference to the policy of having excluded French meats.

I beg you to refer to my series of dispatches Nos. 24, 36, 53, 58, 73, 108, 202, and 403, giving a full history of my action in this matter and of my intercourse with the French Government in regard to it. I have not thought it my duty to recommend retaliation as a remedy, which would necessarily cause great derangement of all our commercial relations with France.

In conclusion, I have to assure you that I will not cease my efforts to obtain from the Executive, even without the concurrence of the Chamber of Deputies, a decree substituting an inspection of American pork and its admission into France at the rate of duty to which all pork is subject in lieu of the original prohibitory decree; and I am not with-

out hope of succeeding, as this question of inspecting foreign meats is now under consideration by the minister of commerce and agriculture, and an opportunity is offered, in my opinion, for at least a temporary arrangement, until the chamber shall vote upon the bill for the inspection of meats, which has been protecting almost to the prohibitory point all agricultural products, an agitation which controls the legislature and the Executive, and very recently caused the failure of negotiations with Italy for a commercial treaty.

Referring to my No. 24, under date of June 16, 1885, in which I advised you that I thought my predecessor was oversanguine in his expectation that the legislature would concur with the Executive in providing a law of inspection as a substitute for the prohibitory decree, I can assure you that there has never been a period since when any cabinet minister here encouraged me to hope for a satisfactory result from the present chamber, though they always disclaimed any unfriendly intention. Mr. Flourens even contended that European countries did not consider the exclusion of a particular import as unfriendly, but rather as a domestic question, connected with its economic or health policy, and referred especially to Great Britain as pending since 1883.

I have, etc.,

ROBERT M. MCLANE.

No. 122.

Mr. Dufais to Mr. Rives.

No. 140.] CONSULATE OF THE UNITED STATES,
Havre, France, February 17, 1888.

SIR: Referring to my dispatch No. 133, of December 22, 1887, on the subject of the prohibition of American salted pork in France, I have the honor to transmit herewith the translation of a letter addressed by the syndicate chamber of commerce in these articles at Bordeaux to the committee on customs duties in Paris, from which it appears that the feeling there on this question is no less intense than at Havre. Should retaliation be considered too harsh a measure for the unjust discrimination against our produce, a strict examination by competent experts of all French wines and brandy at our ports of entry would soon disclose the adulterated character of a very large proportion of them, the rejection of which would increase the number of advocates in this country for a revocation of the odious edict against the importation of American pork.

I may mention that quite lately her British Majesty's consul at La Rochelle, in a report to his Government, asserts that it is next to impossible to get pure brandy, and that the mixture imported from there, and probably also from other French ports, consists of common German potato spirits and some cognac oil.

Energetic steps to remedy the present state of things will be hailed with especial delight by the whole French working population.

I have, etc.,

F. F. DUFAIS,
Consul.

[Inclosure in Mr. Dufais's No. 140, of February 17, 1888, to Mr. Rives.—Translation.]

Petition to the Commission of Customs.

BORDEAUX, *February* 13, 1888.

To the President and the Members of the Commission of the Customs:

The syndicate for the lard and salted meat trade at Bordeaux has the honor to call your kind attention to the irregular position created in the branch of business it represents by the decree of the 18th February, 1881, prohibiting the entrance into France of salted meats of American origin.

This fatal measure, taken hurriedly and without any preliminary inquiry under the pretext of protecting public health, ruined our industry by taking away the principal element of business and prejudiced at the same time the general commerce of France.

Experience has proved, and our learned societies have attested, that with a good salting and the French way of cooking, pork is not a dangerous food. We may add, as a convincing argument, that during the twenty years which preceded the prohibition large quantities of salted American pork were consumed in France without causing any harm.

Now that the harmlessness of this meat is generally recognized we ask the redress of a mistake which, by throwing confusion into our business, has prejudiced largely important interests, without any noticeable compensation, and that our trade, which has been suppressed under false pretenses, be replaced by common right.

The prohibition, gentlemen, is an excessive and iniquitous measure, which not only results in preventing us from importing American meats, but also that from other countries, and in creating numberless difficulties and obstacles on the part of the customs officials, who imagine all packed meats to be of American origin, and we are daily the victims of all sorts of vexatious mistakes and costly lawsuits, caused by the decision of special experts appointed by the Government, whose competence we are not allowed to contest.

In studying the question you have been able to prove that the prohibition, in bringing discredit upon pork from all countries, has failed to give our agriculture an efficient protection. In the southwest the average prices paid in our markets since 1881 were 12 and 15 per cent. lower than those of the preceding period, and are still daily receding.

After all, gentlemen, the prohibition has not protected anything, neither the health of the consumer, which was not menaced, nor his purse, no more than that of the producer. A few privileged intermediate packers alone, some of the west and center of France, derive a certain benefit from it. They have always opposed the repeal of the decree, which granted them a kind of monopoly, and which permits them to charge very high prices not only to ordinary consumers, but also to the State for naval and military supplies. The syndicates, on the contrary, who seemed more particularly interested, have never asked for the maintenance of a special measure against which the two meetings of 1886 and 1887 protested. The exception created by the prohibition has only favored the very small class of middlemen above referred to. Although they buy the animals on hoof at very low rates, they have kept up and even increased their sale prices for consumption, so that the working classes, who compose the majority of pork *consumers*, have paid very dear for what the *producers* have sold very cheap. The free importation of American meat would put a stop to this speculation by creating a legitimate competition to this quasi monopoly, and the result would be to economize the pecuniary resources, always so meager, of our working classes. It also would bring back the following advantages: To our *merchant marine*, considerable element of freight; to our *coasting trade* and *railroads*, and important element of transportation; to our *export trade*, the markets of which have been nearly all suppressed by retaliative measures against our products; to our *treasury*, with a duty of 8 francs and 50 centimes on the gross weight, a revenue of *four* or *five million* of francs, an economy which is not to be disdained. To the *customs authorities*, who have caused the duty upon salted meats to be raised from 4 francs to 8.50 francs, thus insuring a sufficient protection to our agriculture. The commission of customs duties seems to have the power to insist with the Government to remedy the present deplorable condition of the trade created by an arbitrary measure, and which can not be kept up for any substantial reason.

It is with confidence that we apply to you, gentlemen, begging you to take interest in this cause, which is a national one, and to use all your influence to obtain shortly the abrogation of the decree of the 18th February, 1881.

The syndicate.

F. DARTIS,
President.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 393.

PUBLIC BUILDING AT BALTIMORE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REQUESTING

An appropriation of $20,000 *for United States post-office, court-house, etc., building at Baltimore to complete building and approaches.*

MAY 24, 1890.—Referred to the Committee on Public Buildings and Grounds.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., May 23, 1890.

SIR: I have the honor to request that an appropriation of $20,000 be made for the United States post-office, court-house, etc., building at Baltimore, Md., that the building and approaches may be completed.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 395.

MESSENGER IN FIRST COMPTROLLER'S OFFICE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Copy, with inclosure, of letter of First Comptroller asking for appropriation to pay messenger in his office for extra services.

MAY 26, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *May* 24, 1890.

SIR: I have the honor to transmit herewith, for the favorable consideration of Congress, copy of a communication from the First Comptroller of the 19th instant, and accompanying inclosure, asking for an appropriation to pay George Martin, messenger in his office, for extra services performed therein.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
FIRST COMPTROLLER'S OFFICE,
Washington, D. C., May 19, 1890.

SIR: I beg to hand you herewith for your consideration and proper action, a letter addressed to me by George Martin, messenger in this office, which has my approval and favorable recommendation.

In view of the faithful and efficient service rendered by this messenger, and the extra work he has performed, as set forth in his communication, I believe that he is justly entitled to the extra compensation asked for, and I would respectfully suggest that the matter be submitted to Congress for an appropriation.

I am, very respectfully,

A. C. MATTHEWS,
First Comptroller.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE,
Washington, D. C., May 18, 1890.

SIR: I most respectfully ask your consideration of the following facts, which I think justly entitles me to some extra compensation, and which, I believe, Congress will allow me if the matter be properly brought before that body. I was appointed messenger in this office August 4, 1882, at which time the office of assistant messenger for this office was abolished. In consequence of this I have had many additional duties to perform, and my work has been onerous. I not only perform the ordinary duties of messenger, such as sweeping, cleaning, and providing for the rooms of the office, and delivering messages and papers, but I am responsible for the safe delivery at the proper offices of the important warrants, accounts, and other papers which pass through this office in great numbers. Besides taking press copies of all of the official correspondence of this office I also put up for mailing all of the letters, a duty which, in most of the bureaus, is performed by clerks. In order to perform this work well and satisfactorily I am obliged to be at the office early and to work late. I have had no regular leave of absence from the office for four years.

I respectfully suggest to you that an additional allowance of $100 per annum from the date of my appointment as messenger would be a fair and just compensation for the extra services I have performed. If it meet with your approval, I respectfully ask that you recommend to the proper committee of Congress that the necessary amount to pay me for the extra services referred to be included in the deficiency bill now pending before that body.

Very respectfully, your obedient servant,

GEORGE MARTIN.

Hon. A. C. MATTHEWS,
First Comptroller.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 396.

ADDITIONAL ESTIMATE FOR PRINTING AND BINDING FOR DEPARTMENT OF STATE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Copy of communication from Secretary of State submitting an estimate of deficiency for printing and binding for Department of State of $5,000, *requesting immediate action.*

MAY 26, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *May* 24, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of State of the 22d instant, submitting an estimate of deficiency in the allotment for printing and binding for the Department of State, for the current fiscal year, of $5,000, with a request for immediate action thereon.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE,
Washington, May 22, 1890.

SIR: The Public Printer has informed me that unless additional funds can be immediately placed to the credit of the allotment for the printing and binding for this Department, the branch office here must be closed. The closing of the branch office would cause serious embarrassment to the Department, and would not be in the interest of public economy.

I will, therefore, thank you to call the attention of Congress to the subject, with a request for immediate action.

The deficiency in the allotment of the appropriation for printing and binding for the Department of State is estimated at $5,000.

I have the honor to be, sir, your obedient servant,

JAMES G. BLAINE.

The SECRETARY OF THE TREASURY.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 397.

PENALTY FOR OBSTRUCTING INTERNAL REVENUE OFFICERS IN LINE OF DUTY.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

INCLOSING

Copy of letter of Commissioner of Internal Revenue recommending amendment to section 5447, Revised Statutes, according to draught inclosed, providing penalty for obstructing store-keeper or gauger in his duty.

MAY 26, 1890.—Referred to the Committee on the Judiciary.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., May 24, 1890.

SIR: I have the honor to inclose herewith a copy of a letter dated the 21st instant, from the Commissioner of Internal Revenue, stating "that there is no provision of law which provides a penalty for the offense" of molesting or obstructing an internal revenue store-keeper and gauger in the performance of his duty.

I recommend that section 5447, Revised Statutes, be amended as proposed by the Commissioner, and herewith inclose a draught of a bill for that purpose.

Respectfully, yours,

W. WINDOM,
Secretary.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, D. C., May 21, 1890.

SIR: My attention has been called to the case of a store-keeper and gauger who was molested or obstructed in the performance of his duty, and I find that there is no provision of law which provides a penalty for the offense.

Section 5447, Revised Statutes, provides a penalty for any person who forcibly impedes or interferes with any officer of the customs in the ex-

ecution of his duties. I recommend that this be extended to internal revenue officers, and have the honor to inclose a draught of a bill amending that section accordingly, for such action as you think proper to take.

It would be an encouragement to officers in the faithful performance of their duty to know that they could rely upon the United States to protect them in case they are molested or interfered with.

Respectfully, yours,

JOHN MASON,
Commissioner.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

Be it enacted, etc., That section 5447 of the Revised Statutes of the United States be amended as follows, namely, by inserting after the words "officer of the customs," in line 2, the words "or of internal revenue."

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC No. 398.

ORDNANCE AND ORDNANCE STORES FOR THE STATE OF MAINE.

LETTER

FROM

THE SECRETARY OF WAR,

CALLING ATTENTION

To public act No. 116, *May* 14, 1890, *relating to ordnance and ordnance stores for the State of Maine, that no appropriation has been made to carry the act into effect.*

MAY 28, 1890.—Referred to the Committee on Appropriations.

WAR DEPARTMENT,
Washington, May 28, 1890.

SIR: Pubiic act No. 116, approved May 14, 1890, authorizes and directs the Secretary of War to issue to the State of Maine certain ordnance and ordnance stores, and clothing and camp and garrison equipage to replace stores issued to the State under the law for arming and equipping the militia, which stores were destroyed by fire. The act makes no appropriation to enable me to procure the stores, and I am therefore unable to carry it into effect unless such appropriation be made.

The amounts required are, for the ordnance stores named, $5,263.95, and for the quartermaster's stores, $1,135.06, making the total amount needed to carry out the provisions of the bill, $6,399.01.

Respectfully,

REDFIELD PROCTOR,
Secretary of War

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 399.

MILEAGE FOR OFFICERS.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Letter of Maj. Gen. O. O. Howard, remonstrating against the omission from deficiency bill item for mileage for officers for journeys in last fiscal year.

MAY 28, 1890.—Referred to the Committee on Appropriations.

WAR DEPARTMENT,
Washington, May 27, 1890.

SIR: I have the honor to transmit herewith, for the consideration of the Committee on Appropriations, a letter of the 23d instant from Maj. Gen. O. O. Howard, commanding the Division of the Atlantic, presenting reasons why the amount required to pay mileage for journeys performed by officers of the Army during the last part of the last fiscal year should not be left out of the deficiency bill.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

HEADQUARTERS DIVISION OF THE ATLANTIC,
Governor's Island, New York City, May 23, 1890.

DEAR SIR: I have been informed by an officer that Congress is likely to leave out of the deficiency bill the amount required to pay mileage for journeys performed during the last part of the last fiscal year. I have the honor to ask that a strong remonstrance be made against this. In the performance of military duty I was compelled to order officers to travel even up to the end of June. That they should not be re-imbursed for money already expended in the service of the United States would be a great wrong.

Very respectfully, your obedient servant,

OLIVER O. HOWARD,
Major-General, U. S. Army

HON. REDFIELD PROCTOR,
Secretary of War, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 400.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATIVE TO

An item of appropriation to enable the President to continue negotiations with the Cherokee Indians.

MAY 28, 1890.—Referred to the Committee on Indian Affairs.

To the Senate and House of Representatives:

I transmit herewith a communication of 26th instant from the Secretary of the Interior and accompanying item of appropriation, to enable the President to continue the negotiations authorized by sections 14 and 15 of the Indian appropriation act approved March 2, 1889, with the Cherokee Indians, and with all other Indians owning or claiming lands west of the ninety-sixth degree of longitude in the Indian Territory, for the cession to the United States of all their title, claim, or interest of every kind or character in and to said lands, etc.

The matter is presented for the favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
May 28, 1890.

DEPARTMENT OF THE INTERIOR,
Washington, May 26, 1890.

The PRESIDENT:

The act making appropriation, approved March 2, 1889, for the Indian service for the fiscal year ending June 30, 1889 (25 Stat., 1005), provides for negotiations for cession of lands of the Cherokees, etc., in the Indian Territory; appropriates $25,000 for this purpose, and requires that all agreements resulting from such negotiations shall be reported to the President and by him to Congress at *its next session*, and to the council or councils of the nation or nations, tribe or tribes agreeing to the same, for ratification.

Commissioners appointed under the provisions of this act have visited the Indian Territory, held councils with the Indians, but as yet have made no agreements. You are familiar with the efforts made by the commission to agree with the Cherokees; the many changes necessarily made in the personnel of the commission, and other unavoidable causes of delay. The commission, as reorganized, is now in the field, and reports received contain some promise of success. To enable it to visit

all the tribes living west of the ninety-sixth degree of longitude additional funds will be required, and I have the honor to recommend that the sum of $25,000 be appropriated for the purpose. I have therefore prepared an item of appropriation for insertion in the Indian appropriation bill for the ensuing fiscal year, and respectfully request that the same be transmitted to Congress with favorable recommendation.

The present act requires all agreements made by the commission to be reported to the President and by him to Congress at its next session. It suggests itself that this may be construed to mean at the next session after the agreement or agreements made, and not necessarily after the passage of the act. But to remove all doubt on this score, a new act of the kind submitted is desirable.

There are now only $10,000 on hand in the Treasury, and some of this may have been already contracted for the commission.

I have the honor to be, very respectfully, your obedient servant,

JOHN W. NOBLE,
Secretary.

Proposed item to be inserted in the Indian appropriation bill.

SEC. —. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to enable the President to continue the negotiations authorized by act of Congress, approved March second, eighteen hundred and eighty-nine, with the Cherokee Indians and with all other Indians owning or claiming lands lying west of the ninety-sixth degree of longitude in the Indian Territory for the cession to the United States of all their title, claim, or interest of every kind or character in and to said lands, and any and all agreements resulting from such negotiations shall be reported to the President and by him to Congress at its next session and to the council or councils of the nation or nations, tribe or tribes, agreeing to the same for ratification: *Provided*, That said commission is further authorized to submit to the Cherokee Nation the proposition that said nation shall cede to the United States, in the manner and with the effect aforesaid, all the rights of said nation in said lands upon the same terms as to payment as is provided in the agreement made with the Creek Indians of date January nineteenth, eighteen hundred and eighty-nine, and ratified by the act of Congress approved March first, eighteen hundred and eighty-nine; and if said Cherokee Nation shall accept, and by act of its legislative authority, duly passed, ratify the same, the said lands shall thereupon become a part of the public domain for the purpose of such disposition as is herein provided, and the President is authorized, as soon thereafter as he may deem advisable, by proclamation open said lands to settlement in the same manner and to the same effect as in this act provided concerning the lands acquired from said Creek Indians, but until said lands are opened for settlement by proclamation of the President, no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire any right thereto.

SEC. —. That the President may, whenever he may deem it necessary, create not to exceed two land districts embracing the lands which he may open to settlement by proclamation as hereinbefore provided, and he is empowered to locate land-offices for the same, appointing thereto, in conformity to existing law, registers and receivers, and for the purpose of carrying out this provision five thousand dollars, or so much thereof as may be necessary, is hereby appropriated.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 401.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Attorney-General submitting revised estimates for the expenses of the United States courts for the fiscal year 1891.

MAY 29, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
May 28, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Attorney-General of the 27th instant, submitting revised estimates for the expenses of United States courts for the fiscal year 1891.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., May 27, 1890.

SIR: You are respectfully requested to forward to the Speaker of the House of Representatives the revised estimates herein submitted for the expenses of the United States courts for the fiscal year 1891.

The original estimates are found on pages 234 and 235 of the Book of Estimates of Appropriations, 1890–'91.

Reference is made to letter of April 14, 1890, of A. C. Mathews, First Comptroller of the Treasury, found on page 3, Executive Document No. 338, Fifty-first Congress, first session. In that letter he expresses an opinion that the deficiencies needed for defraying the expenses of the United States courts for the fiscal year 1890 should be 30 per cent. greater than the actual deficiencies reported by him on April 1, 1890; such report being found in the middle of page 3 of said Executive Document No. 338. Congress has at times expressed a preference for an estimate of court expenses that shall come as near the actual expenses needed as can be arrived at by this Department. As the estimates for annual appropriations are by law required to be submitted to the Secretary of the Treasury on October 1 of each calendar year for the succeeding fiscal year, the Department is not at that time as well informed as at a later period,

The estimates for the fiscal year 1891 were made up without adequate knowledge of what expenses would be necessary at Fort Smith, Ark., Paris, Tex., the United States court at Muscogee, Ind. T., and the increased expenses of holding courts provided for in places where United States courts were not formerly held.

I submit the following revised estimates for court expenses, fiscal year 1891, in lieu of the original estimates. In submitting them I refer to Executive Document No. 338, formerly referred to in this letter, page 2, and to its middle portion entitled "United States courts for the fiscal year 1890," and after examining the rate of court expenses now going on, believe that the estimates there submitted as the deficiencies of the expenses of courts for 1890 should be added to the estimates found on page 234 of the Book of Annual Appropriations for 1890–'91. Upon this basis of calculation the following amounts are presented as the probable expenses of the United States courts for the fiscal year 1891:

Fees and expenses of marshals	$765,000
Fees of district attorneys	295,000
Pay of regular assistant attorneys	125,000
Pay of special assistant attorneys	40,000
Special compensation of district attorneys	8,000
Fees of clerks	220,000
Fees of jurors	685,000
Fees of witnesses	1,200,000
Support of prisoners	465,000
Pay of bailiffs, etc	200,000
Miscellaneous expenses	175,000

I have retained some of the original estimates as more nearly expressing my ideas of the requirements of the service, and have increased others only so far as the necessities of the service seem to absolutely require.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 402.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Attorney-General in reference to the expenses of G. T. Larkin, late deputy marshal, eastern district of Tennessee.

MAY 29, 1890.—Referred to the Committee on Claims.

TREASURY DEPARTMENT, *May* 28, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the honorable Attorney-General of the 27th instant, submitting for appropriation the claim of G. T. Larkin, late deputy United States marshal, eastern district of Tennessee, for expenses incurred and services rendered in the matter of killing, in self-defense, a citizen of Hawkins County, Tenn., who resisted arrest under warrant charging violation of the internal-revenue laws, amounting to $1,976.55.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., May 27, 1890.

SIR: Herewith is inclosed a copy of a letter addressed to this Department on the 13th instant by T. H. Reeves, late United States marshal, eastern district of Tennessee, respecting the claim of G. T. Larkin, late deputy United States marshal, eastern district of Tennessee, for expenses incurred and services rendered in matter of killing, in self-defense, a citizen of Hawkins County, Tenn., who resisted arrest under warrant charging violation of the internal-revenue laws—his life being in jeopardy from an assault made by the deceased, in company with another man—the expenses amounting to $692.55, and compensation for his being suspended from office six hundred and forty-one days, at $2 a day, $1,284; said killing occurred on or near June 16,1888.

You are respectfully requested to forward the same to Congress for its action. I know nothing of the merits of the case excepting from the

papers herewith forwarded. Mr. Larkin asks that the papers take this direction. As there is no money available for the settlement of his account I comply with his request.

Respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

KNOXVILLE, TENN., *May* 13, 1890.

The ATTORNEY-GENERAL,
Washington, D. C.:

SIR: Having been requested by George T. Larkin, late deputy United States marshal, to make a statement in support of his account for expenses, etc., incurred in his defense in the State and Federal courts on an indictment for murder, I have come to this city to examine the records of the marshal's office, and on the letter book find the following history of the case made at the time:

UNITED STATES MARSHAL'S OFFICE,
Knoxville, Tenn., June 18, 1881.

His Excellency ALVAN HAWKINS,
Governor of Tennessee, Nashville, Tenn.:

SIR: I have the honor to submit for your information the telegrams, correspondence, facts, and circumstances that induced Hon George Andrews and myself to request you to send Captain Newman to Rogersville to protect Deputy Marshal George T. Larkin from threatened violence.

Telegram marked A brought the first information of the trouble to this place.

About one hour later telegram B, from United States Commissioner Noe, was received saying "Sheriff Blevins apprehended a mob," and that "it is believed he [Larkin] will be killed by a mob to-night, unless protected by Federal authority."

Upon receipt of this telegram I called on Assistant United States District Attorney Jno. P. Smith for advice as to what steps to take. The result of the conference with him appears in telegram C, which I at once sent to Judge Hacker, whose court is in session at Greeneville, Tenn.

At 11 a. m. the down train brought, addressed to United States District Attorney Xen Wheeler from the sheriff of Hamblen County, the letter marked D.

Capt. S. J. Couch, of the Morristown Times, and Joseph Brown, late postmaster at Morristown, came here on the same train, and in the presence of Hon. George Andrews, Assistant Attorney-General Smith, and myself corroborated fully the statements of Sheriff Maze and Commissioner Noe. Captain Couch stating that Sheriff Blevins at the time of arresting Larkin had announced his fears, in the presence of Mr. Scott, an employé in the Times office, and others, that a mob would kill Larkin.

Acting upon these telegrams, letter, and statements, it was decided to appeal to you as the governor of the State to protect Larkin from the threatened mob violence, and Judge Andrews joined me in telegram to you marked E, which was sent between 11 and 12 a. m. At 2 p. m., having received no reply from you, I left on the train for Rogersville to investigate the facts in the case, and arranged with Judge Andrews and Mr. Smith to telegraph me at Rogersville Junction if they heard from you by 4 p. m., the time the train was due there. On my arrival at the junction I received from Mr. Smith telegram F; and after conferring with parties who had left Rogersville that morning, I felt satisfied the people of Hawkins, remote from telegraphic communication, were not sharing in the excitement that existed at Morristown, the home of Larkin. I therefore sent Mr. Smith telegram G, intending, if I found Larkin in danger and the sheriff unable to protect him, to charter the Rogersville railroad train, and return to the junction and notify Captain Newman to come at once. Mr. Smith showed my telegram from the junction to Captain Newman, and with Judge Andrews arranged with the railroad authorities to send Newman and his men up on the night train, with special rates, in the event I found it necessary and notified them to come.

Captain Newman, it appears, received a subsequent telegram from you to charter a train and go, which he did, marching all night from the junction to Rogersville, where, to my surprise and the surprise of the sheriff, we found him yesterday morning.

On reaching Rogersville the evening before, I represented the facts in my possession to Sheriff Blevins, showed him the telegrams, etc., and asked him if he apprehended any danger to Larkin. His reply was that he did not, and that the presence of Captain Newman will be unnecessary. He further pledged me that he would protect Larkin, and thought no attempt would be made to interfere with him, unless a

drunken crowd should come from the vicinity of the killing, some 22 miles above Rogersville.

The pledge of the sheriff and the general quiet of the place led me to hope that Larkin would have a fair and unmolested trial, and I sent no notice to the guards to come. Their going, in view of my telegram from the junction, which Captain Newman said had been shown him by Mr. Smith, was premature, but resulted in no harm, as Sheriff Blevins discharged them at once, and they returned on the train leaving Rogersville at 7 a. m., before their presence was known outside of the town.

The promptness with which you acted, the zeal of the Knoxville Rifles, and the interest manifested in this United States officer, whose life was represented to be in jeopardy, by the State authorities, will have a salutary influence it is believed in stimulating ministerial officers, State and national, to a fearless discharge of their duties. Had a like promptness and interest been manifested in the life and protection of officers from mob violence and intimidation throughout the country, the sentiment among violators of law in many places that United States officers—especially in the Internal Revenue service—ought to be exterminated, would long since have been replaced by respect for the laws of the land and the agents necessary for their enforcement.

I thank you for your action in behalf of my deputy, and only regret that Captain Newman went to the expense and trouble of going to Rogersville without waiting further orders from me, as I supposed he would do.

Your obedient servant,

T. H. REEVES,
United States Marshal.

[Telegram A.]

ROGERSVILLE JUNCTION, *June* 16, 1881—8. a. m.

T. H. REEVES,
United States Marshal, Knoxville, Tenn.:

I am under arrest by the sheriff for shooting a man in trying to arrest him. Come to my relief at Rogersville. Tell the district attorney send able counsel at once at my expense.

G. T. LARKIN,
Deputy United States Marshal.

[Telegram B.]

MORRISTOWN, TENN., *June* 16, 1881,—9.20 a. m.

THOS. H. REEVES,
United States Marshal, Knoxville, Tenn.:

Deputy Marshal Larkin killed a man yesterday in self-defense in Hawkins County. He was arrested here last night and taken back to Rogersville. Sheriff Blevins said he apprehended a mob. It is believed that he will be killed by a mob to-night unless protected by Federal authority.

S. B. NOE,
United States Commissioner.

[Telegram C.]

KNOXVILLE, *June* 16, 1881.

Judge NEWTON HACKER,
Greeneville, Tenn.:

United States Commissioner Noe, Morristown, telegraphs that "Deputy Marshal Larkin killed a man yesterday in self-defense in Hawkins County. He was arrested last night and taken to Rogersville. Sheriff Blevins said he apprehended a mob. It is believed he will be killed by a mob to-night unless protected by Federal authority." I beg you to telegraph the sheriff to protect Larkin at all hazards, that the law may take its course in his case.

T. H. REEVES,
United States Marshal.

[Letter D.]

MORRISTOWN, TENN., *June* 16, 1881.

HON. XEN WHEELER,
Attorney-General, United States, Knoxville, Tenn.:

DEAR SIR: Deputy Marshal Geo. T. Larkin shot and perhaps killed a man in Hawkins County yesterday. The facts, as I learned from him, are these: He had a capias for a very bad man, charged with selling liquor in violation of the revenue laws, and went to the man's house to arrest him. He found him out in the field and made known his business in a gentlemanly manner and asked the man to go with him. Thereupon the man refused to go, told Larkin to get off the premises, drew his knife, and advanced on him. Larkin retreated a few steps, drew his pistol, and fired, the shot not taking effect. The man still advanced and Larkin fired the second time, dropping the man. Larkin then started for this place, reaching here late last evening, and came to the train here last night to go down to Knoxville to give himself up to the United States authorities.

Sheriff Blevins, of Hawkins County, came down on the train, arrested him, handcuffed him, and carried him back to Rogersville. Larkin's friends are apprehensive that a mob will kill him, and in fact Sheriff Blevins remarked, as I am informed, that he believed it would be done.

We are anxious that you take such action as will secure to Larkin a fair trial, and deliver him from the threatened action of the mob. The matter should be looked after to-day, and arrangements made to protect him at once, as it is believed they will attempt to kill him to-night.

Very respectfully,

W. H. MAZE,
Sheriff Hamblin County.

[Telegram E.]

KNOXVILLE, *June* 16, 1881.

Governor ALVAN HAWKINS,
Nashville, Tenn.:

Geo. T. Larkin, deputy marshal, has been arrested and is in jail at Rogersville for shooting, in self-defense, a man who resisted arrest. Sheriff of Hamblin County and others send word that Larkin will be taken from jail to-night by mob and lynched. Telegraph orders immediately, if possible, to Knoxville Rifles, Capt. David Newman, to go instantly to Rogersville for protection. Reply at once.

T. H. REEVES,
United States Marshal.
GEORGE ANDREWS.

[Telegram F.]

KNOXVILLE, *June* 16, 1881.—3.40 p. m.

T. H. REEVES,
Rogersville Junction, Tenn.:

Newman ordered to Rogersville. Can send on mail to-night if wanted. Answer.

JOHN P. SMITH,
Assistant District Attorney.

[Telegram G.]

ROGERSVILLE JUNCTION, *June* 16, 1881.

JOHN P. SMITH,
Knoxville, Tenn.:

Hold everything in readiness and await orders, which I will send from Rogersville if found necessary on my arrival.

T. H. REEVES,
United States Marshal.

The foregoing letters and telegrams are true copies made by me this day from the Letter Book on file in the United States marshal's office at Knoxville, Tenn.

I further state that I was United States marshal of the eastern district of Tennessee from about May 19, 1881, to May 19, 1885. That George T. Larkin was regularly ap-

pointed and qualified as deputy United States marshal about June 1, 1881, and at the time of the homicide was in the regular discharge of his duty. Upon his indictment for murder by the State court I suspended said Larkin from duty, and he remained suspended until acquitted in the Federal court, after which he was restored to duty.

If there is any authority for the payment of such expenses, George T. Larkin should be re-imbursed for the expenses incurred in his defense, for the larger part of which he has filed voucher; the other items he swears to.

As to compensation on per diems for the six hundred and forty-one days claimed by him during his suspension, that is submitted for your action, with the remark that Mr. Larkin has never recovered from the physical and financial distress brought on him by this trial, which attracted so much attention at the time that Judge Stanley Matthews, of the Supreme Court, came to Knoxville and presided at the trial when Larkin was first tried. I am advised that he and his family are greatly in need of assistance, and I commend him and so much of his claim as may be authorized by law to your favorable consideration.

I have no interest in his claim, direct or indirect, and submit this lengthy statement in order that you may have a history of the case when you come to consider his account.

T. H. REEVES,
Late United States Marshal.

Sworn to and subscribed before me this May 13, 1890.
[SEAL.]
H. H. TAYLOR, *Clerk*,
By J. T. CARTER, *Deputy Clerk.*

KNOXVILLE, TENN., *May* 13, 1890.

This is to certify that I appeared and defended Geo. T. Larkin, as United States district attorney, at the term of court when he was acquitted. I have examined his account, herewith presented, with the statement of T. H. Reeves, late United States marshal, concurring in what he says as containing a full and fair statement of the case.

JAMES M. MEEK,
Late District Attorney.

Sworn to and subscribed before me this May 13, 1890.
[SEAL.]
H. H. TAYLOR, *Clerk*,
By J. T. CARTER, *Deputy Clerk.*

MORRISTOWN, TENN., *April* 19, 1890.

SIR: I send my account for expense and time while deputy United States marshal, eastern district of Tennessee, for services rendered by me in attempting to arrest one Arthur Larkin, and to defend myself, in a charge of murder, in the State court; tried and acquitted in the Federal court, Knoxville. Have been delayed on the account of not being able to get the vouchers and certificates referred to in your letter dated March 6, 1890 (marked H. H. 2563–'85), referred to. Any further explanation on the subject hope will be able to give it, as I think my claim is a just one.

Very respectfully,

G. T. LARKIN,
Late Deputy United States Marshal.

Hon. W. H. H. MILLER,
Attorney-General, Washington, D. C.

STATE OF TENNESSEE, HAMBLEN COUNTY, *ss*:

I herewith present the following account, supported by vouchers where it was possible to furnish them, as late deputy United States marshal, incurred by me in a legal struggle of no ordinary character in my defense in the case of The State of Tennessee *vs.* Myself, being an extra judicial proceeding instituted against me on an indictment for murder in the first degree, found against me by the grand jury of Hawkins County, Tenn., at Rogersville, September, 1881, for the killing of Arthur Larkin, a citizen of said county, while resisting arrest at my hands, on a warrant from the Federal authorities, charging him with a violation of the internal-revenue laws of the United States, and in defense of my own life from a murderous assault made by him and an-

other man upon me, in the peaceful discharge of my lawful official duty as such officer. Removed by petition on the plea of jurisdiction from the State court to the Federal court at Knoxville, Tenn., January, 1882, and tried there in January 22, 1884, and for the item of a part of my time, employed in said defense, while so suspended from office.

Federal court record in this case, executed April 4, 1890, herewith filed and marked Exhibit A, for which transcript I paid the clerk his fees..... $1.15

Federal clerk's transcript of the attendance and mileage of witnesses in my behalf, herewith filed and marked Exhibit B, for which I paid his fees.... .85

Warrant for the arrest of Arthur Larkin is placed in my hands April 4, 1881. Proceeded to Hawkins County June 14, and June 15, while making the attempt to arrest said Arthur on that warrant in a peaceable, friendly way, he not only swore that he would not submit to it, but suddenly made a determined assault, aided by another man, to kill me. Whereupon, to save my own life, there was left me no discretion but to defend myself or be killed; and in this unlawful, deplorable attempt he was killed. I was engaged two days, June 14 and 15, at $2 per day, $4. Traveled 40 miles, from place of receiving warrant to the place of executing it, at 6 cents per mile, $2.40; in all, $6.40, for which I have never been paid, and for which I have no voucher but my oath..... 6.40

Arrested by R. L. Blevens, sheriff of Hawkins County, on a warrant from a justice of the peace of said county, charging me with the murder of said Arthur Larkin, at my home at Morristown, while in the act of making out a report of this deplorable affair and surrendering myself to the Federal authorities, and taken that night to Rogersville.

Held under guard at Rogersville in hotel two days, at 75 cents per day, $1.50; one guard, at $1 per day, two days, $2; in all $3.50, which I paid, and for which I have no voucher but my oath..... 3.50

Paid S. J. Couch, of Morristown (to go to Knoxville June 16 in my behalf, to inform the marshal, his honor T. H. Reeves, of my situation, and bring him up to Rogersville, whence I was to be taken), his railroad fare to Knoxville, from Knoxville to Rogersville, and from Rogersville back to Morristown, and his other expenses, in all, for June 16 and 17, $5.25, for which I have at present no other voucher but my own oath, as Mr. Couch moved West a number of years ago and I have not been able to communicate with him. But his honor Marshal Reeves came to Rogersville with him June 16, staid one night, the 16th, and left the morning of the 17th, and hence heard the roar of the maddened mob thirsting for and threatening my life. 5.25

Tried on warrant June 18 before J. H. Spears, justice of the peace, and bound over to the September term of the Hawkins County circuit court to answer the charge of the State of Tennessee for murder, etc., but was admitted to bail by said justice, whereupon C. C. Spears, clerk of the circuit court, and Hugh Kyle, one of my attorneys, offered and were accepted as bail until I could go to Morristown to give other bail and release them. My own railroad fare to Morristown was $1.40, and I paid the fare both ways for C. C. Spears, $2.80, as it was necessary for him to go with me to Morristown until I could release him and my other bail man by giving new bail there, in all $4.20 (see voucher herewith filed marked Exhibit C)..... 4.20

Attended the Hawkins County circuit court at its September term, 1881, in compliance with my bail bond; railroad fare from Morristown to Rogersville, $1.40; two days' board at hotel, at 75 cents per day, $1.50; in all, $2.90, which I paid and for which I have no bonds but my own oath 2.90

I was indicted by the grand jury at said term of that court for murder in the first degree, etc., and as a willful murder in the first degree is held not to be bailable under the laws of Tennessee, I was arrested upon that indictment the third day of the term with a remorseless precipitancy by the sheriff, R. L. Blevins, who evinced very unkind feelings towards me, and at once incarcerated in the county jail. To relieve myself from this unpleasant situation, and the positive danger I was in of my life, from the threatenings of the infuriated mob to break into the jail and take me out by force and hang me, and I had every reason to believe that the sheriff and jailer, who were both rebels, were in sympathy with this spirit, I had myself brought before his honor Judge Newton Hacker of said court on habeas corpus, who was well aware of this lawless spirit and my real danger, and who, after hearing testimony and argument, decided that the case was bailable, and ordered bail in a specified sum to be taken by the sheriff for my appearance at the January term of said court, 1882, on the execution of which it was ordered that I should be released by the sheriff and discharged from jail (See the evidence of Vouchers K and L herewith filed on this point.)

To make this bond and get released from this dangerous situation I had to get Sheriff Blevins to go to Morristown, as I was in his custody and in jail of him, to take said bond. This he refused to do as a matter of accommodation (being, indeed, averse to take bail and release me from jail) unless I would pay him the sum of $15 down to meet his expenses. I had no option but to agree to this to get him to go, as I had procured his honor S. P. Evans, late marshal, under whom I began my services and who stood by me in all this trouble, to come up from Knoxville to Morristown on a day set, and with others at that place to go on my bond. I therefore paid it $15.00

And I also paid Mr. Evans's railroad fare both ways and his other expenses, in all $3.75 (see voucher marked L, herewith filed) 3.75

Sheriff Blevins returned from Morristown with the bond executed, and then raised some question upon its legal sufficiency himself, and refused to release and discharge me from jail, and, as he was going to Knoxville, I had to get Thomas McDermit, one of my attorneys, to go with him and adjust the matter with Mr. Evans, which was done, and it turned out there was nothing in the matter but the unfriendly feelings and obstinacy of the sheriff. Blevins telegraphed from Knoxville to the jailor to release me from custody and discharge me from jail. To get Mr. McDermit to go I had to pay his railroad fare both ways, which was $5. I have no other voucher for this item but my own oath, as Mr. McDermit has moved off .. 5.00

On my release I went home by rail, my fare being 1.40

Went by rail to Knoxville from Morristown to procure counsel and file petition in the circuit court of the United States at Knoxville to remove the case of the State of Tennessee versus myself, on indictment for murder, from the jurisdiction of the State court at Rogersville to the Federal court at Knoxville. The petition was entertained and the case set for hearing January 10, 1882, on motion of the State of Tennessee by her counsel to dismiss the petition and remand the case to the jurisdiction of the State court. The petition was sustained. The motion to remand to the State court was not allowed. The court assumed jurisdiction of the case and the counsel was set down for trial at a special term of the Federal court in May, 1882. My actual expenses during this court, for I had to make two trips by rail, was railroad fare both ways, $5; board, fifteen days, at $1 per day; in all $20 (see Voucher A, herewith filed, and my own oath of the facts) 20.00

To prepare for trial at the special May term of the Federal court, 1882, I hired a two-horse hack from David Rhea, of Witnesburgh, Tenn., for which I paid him $6, and was to pay all incidental expenses for horse-feed and driver, and I got Edward Oaks to drive, and sent him into Hawkins County and the edge of Scott County, Va. (for I did not dare to go into these parts myself), to bring my principal witnesses to Whiteburgh, and thence on the railroad to Knoxville. But these witnesses had been tampered with and threatened, so that some refused to come, being afraid, and others kept out of the way. This effort was therefore bootless. I paid Oaks $2 for his services and then his board and the horse-feed, which amounted to $3, in all $5, and this item and the hack hire was $11 (see Voucher G, herewith filed, and my own oath) 11.00

Attended Federal court at its special May term, at which the case was set for trial. A motion for a continuance on my behalf, because my witnesses had failed to attend was refused. I was forced into trial practically without witnesses. A jury was empaneled and sworn and the case gone into, and the result, as expected, was a verdict of guilty against me, not, however, of murder, as charged, but for manslaughter. Judgment was arrested by a motion for a new trial, and on this motion the case was continued to the regular July term, 1882. My actual expenses at this court was railroad fare both ways, $2.50, and 6 days' board, at $1 per day, $6; in all $8.50 (see Exhibit A and my own oath of this item) 8.50

Attended court at the regular July term, 1882, on the motion to set aside verdict and grant a new trial, his honor John Baxter, judge, presiding. The motion was granted. The verdict was set aside and a new trial granted, and the case continued by consent to the regular January term, 1883. My actual expenses were railroad fare both ways, $2.50; board two days, $2; in all $4.50 (see Exhibit A and my own oath on this item) 4.50

Attended the court at its regular January term, 1883, and on motion of the State of Tennessee the case was continued to its regular July term, 1883. My actual expenses were railroad fare both ways, $2.50, and one day's board, $1; in all, $3.50. (See Exhibit A and my oath on this item) 3.50

Attended court at its regular July term, 1883, and on motion of my counsel the case was continued to the regular January term of the court, 1884, on the grounds that this was the second time my principal witnesses had failed to obey summons and attend the court. And the court having been fully advised of the reason of this delinquency, the process of attachment was asked and granted to bring them into court. My actual expenses were railroad fare both ways, $2.50, and two days' board, $2; in all, $4.50. (See Exhibit A and my own oath on this item) $4.50

Attended court at its regular January term, 1884. On the 14th finding two of my main witnesses absent, to wit, S. Barrett and Anderson, on motion the court respited the case to the 17th to get them before the court. I had to go for them in person. I went to Rogersville by rail. Hired two horses and rode 23 miles, the most of it after night; found the witnesses at home in bed, and without a moment's delay had them to mount and set out to Rogersville and got them before the court on the 17th. But to get them to come I had to pay them the sum of $25.50 between them, which was to be deducted from the amounts which might be found to be due them for attendance. Barrett was the coroner who held the inquest upon the body of Arthur Larkin, and Anderson a most important witness. My personal expenses on this trip were railroad to Rogersville and back, $5; hire of two horses for one day, at $1.25 per day each, $2.50, and one day's board, $1; in all 8.50

I was now for the first time ready for trial. Went into trial. Verdict of the jury not guilty and was discharged by the court January 22, 1884. My personal expenses were railroad fare both ways from home, $2.50, and nine days' board, $9; in all 11.50

(See Exhibits A and B and my own oath on this item.)

S. B. Noe, ex-United States commissioner, who executed and placed the warrant in my hands for the arrest of Arthur Larkins, attended the Federal court at its special May term, 1882, as a witness in my behalf. Attendance two days, $3; mileage from Morristown, 84 miles, at 5 cents per mile, $4.20; telegram, $1; in all, $8.20. Commissioner Noe did not prove his attendance but I paid him all the same. (See Voucher D, herewith filed) 8.20

Paid the law firm of McDermitt & Kyle, of Rogersville, for legal services defending me before the justice of the peace, June 18, 1881, the sum of $15, and $50 for defending me in the State circuit court of Hawkins County and for drawing up petition to remove the case from the jurisdiction of the State court to the Federal court at Knoxville; in all, $65. (See Voucher E, herewith filed) 65.00

Paid C. C. Spears, clerk of the circuit court of Hawkins County, his fees for making out a transcript of the record in the case of the State of Tennessee versus myself of that court to go with the petition in that case to the Federal court at Knoxville; in all, $11.50. (See Voucher C, herewith filed) .. 11.50

Paid Mariah Fletcher, a witness on my behalf, her attendance and mileage at the special May term of Federal court, 1882, May 22, 23, and 24, three days and mileage, 200 miles; also at the regular July term, 1883, July 17, one day and mileage, 200 miles; in all, four days' attendance, $6, and 400 miles, at 5 cents per mile, $20; making the sum of $26. (See Voucher F, herewith filed.) This witness did not prove her attendance, but I paid it all the same, in fact most of it in advance 26.00

Paid J. A. Goddard, late deputy United States internal-revenue collector, his mileage and attendance as a witness on my behalf at the January term of Federal court, 1884, mileage from Morristown, 84 miles, $4.20, and three days' attendance, $4.50, January 17 to the 19th inclusive; in all $8.70. (See Vouchers H and B, herewith filed) 8.70

Paid Thomas J. Fletcher, a witness on my behalf, his mileage and attendance at the Federal court at its July term, 1883, July 17, one day and mileage, 170 miles; also at its January term, 1884, January 14 to the 19th, inclusive, six days and mileage, 170 miles; in all, $27.50. (See Vouchers I and B, herewith filed) 27.50

Paid J. M. Bellamy, a witness on my behalf, his mileage and attendance at the special May term of the Federal court, 1882, May 22 to the 24th, inclusive, three days and mileage, 190 miles; also at its June term, 1884, January 14 to the 18th, inclusive, five days and mileage, 190 miles; in all (see Voucher B, $31; but by Voucher J, herewith filed, $30.90) 30.90

Paid David Larkins, a witness on my behalf, his mileage and attendance at the Federal court at its January term, 1884, January 14 to the 18th, inclusive, five days and mileage, 170 miles; in all, $16. (See Voucher M and B, herewith filed) 16.00

Paid Samuel Barrett, late coroner, a witness on my behalf, his mileage and attendance at the Federal court at its January term, 1884, January 17 to the 19th, inclusive, three days and mileage, 180 miles; in all, $13.50. (See Vouchers N and B, herewith filed)	$13.50
Paid William C. Anderson, a witness on my behalf, his mileage and attendance at the Federal court at its special May term, 1882, May 22 to the 24th, inclusive, three days and mileage, 170 miles; also at its July term, 1883, July 17, one day and mileage, 170 miles; also at its January term, 1884, January 17 to the 18th, inclusive, two days and mileage, 180 miles; in all, $35. (See Vouchers O and B, herewith filed)	35.00
Paid William Monroe, a witness on my behalf, his mileage and attendance at the Federal court at its special May term, 1882, May 22 to the 24th, inclusive, three days and mileage, 186 miles; also at its January term, 1884, January 14 to the 18th, inclusive, and mileage, 140 miles; in all, $28.30. (See Vouchers I and B, herewith filed)	28.30
Paid William Ledsey, a witness on my behalf, his mileage and attendance at the Federal court at its special May term, 1882, May 23 to the 24th, inclusive, two days and mileage, 84 miles; in all, $7.20. (See Vouchers Q and B, herewith filed)	7.20
Paid William C. Larkins, a witness on my behalf, his mileage and attendance at the Federal court at its special May term, 1882, May 22 to the 24th, inclusive, three days and mileage, 170 miles; in all, $13. (See Vouchers T and B, herewith filed)	13.00
Paid the law firm of Andrews & Thornburgh, of Knoxville, for legal services in defending me before the Federal court from the filing the petition to remove the case from the State court to the Federal court at Knoxville to my acquittal and discharge, January 22, 1884, the sum of $250. (See Voucher R, herewith filed)	250.00
Paid P. P. Hensley, a witness on my behalf, his mileage and attendance at the Federal court at its special May term, 1882, May 22 to the 24th, inclusive, three days and mileage, 184 miles; in all, $13.70. (See Vouchers S and B, herewith filed)	13.70
Wishing to consult with his honor, J. M. Meek, late Federal district attorney, and learning his was (*sic*) a Tates Springs, Granger County, I hired a horse and rode over to see him, April 24, 1890. He directed me to come to Knoxville April 26, 1890, as he wished to look up the records in the case, and bring my accounts and vouchers with me. I paid $1 for the use of the horse and 50 cents for my own and the horse's dinner	1.50
Went to Knoxville, April 26, 1890, to submit my accounts and vouchers and confer with Mr. Meek, as his certificate was required by the letter of March 6, 1890. My actual expenses were railroad fare both ways, $2.50, and board one day, $1; in all, $3.50	3.50
Went to confer in person with his honor, T. H. Reeves, late marshal, at his home at Jonesborough, Tenn., as his certificate was required by the letter of March 6, 1890. Went May 1 and returned May 2, 1890. My actual expenses were railroad fare both ways $3.40, and one meal at hotel, 25 cents; in all, $3.65	3.65
Went to Hawkins County on horse-back from Morristown to procure vouchers from C. C. Spears and the witnesses living in that county, who attended the Federal court in my behalf, all of whom I had paid, and was so engaged March 26, 27, 28, 29, and 30, 1890, five days. Use of horse five days, at $1 per day, $5; board for self and horse at hotel at Rogersville, $2.25; in all, $7.25	7.25
Paid James Nugent, clerk of the county courts of Hawkins County, for certificate and seal to two vouchers, that of C. C. Spears and S. Barret, 25 cents each	50
Paid Frank Lafferty, notary public at Morristown, for certificate and seal to S. B. Noe's voucher	25
Amount of actual expense incurred in my defense	692.55

I was suspended from office from October 1, 1881, to January 22, 1884, a period embracing eight hundred and forty-four days, and I can safely state, without being able to specify the exact days by name, for I was overwhelmed with too much trouble to think of keeping an exact account day by day, that six hundred and forty-one days of the eight hundred and forty-four, and, perhaps, even more, were energetically employed in the fearful single-handed contest to defend not only my liberty but even my own life, for it was a life-and death struggle up to the July term 1883, from the fearful odds brought to bear against me. And yet I had done nothing to deserve any man's reproach, much less to merit his condemnation. But it

was an event in the Providence of God that no man could lament and deplore more than I did myself. Placing my compensation, therefore, for the above specified time, at the lowest rate provided by the statutes, while engaged in the effort to make an arrest, whether any arrest is made or not, which was at the rate of $2 per day, I present this item with confidence to the candid consideration and just revied (*sic*) of the Department of Justice of the United States and ask that I may be compensated for these six hundred and forty-one days, while engaged in this defense and submit the question in the nature of an account which, at the rate of $2 per day, would be.....$1,284.00

It would have been utterly useless to have submitted the questions embraced in the foregoing account for consideration and adjudication under the late administration of his excellency President Cleveland. Hence the matter of presentation was delayed until the coming in of a juster and fairer administration of the Government of the United States.

G. T. LARKIN,
Late Deputy United States Marshal.

Address Morristown, Tenn.

Personally appeared before me, the undersigned authority, George T. Larkin, whose name is appended to the foregoing account, who is a citizen of Hamblen County, Tenn., a person well known to me, a man worthy of credit on oath, who was a deputy United States marshal, and who makes oath in due form of law that the items set forth in the foregoing account, dependent upon his own personal statements, as well as those supported by the vouchers therewith filed, are true; and that the item of six hundred and forty-one days out of the eight hundred and forty-four days of his suspension was the time actually employed in the making of his defense to an unfounded charge, in which the dignity and authority of the United States was called in question, and his own life, liberty, and reputation impeached.

Given under my hand and seal at Morristown, Hamblen County, Tenn., this —— day of May, A. D. 1890, and of the Independence of the United States the one hundred and twenty-fourth year.

Subscribed and sworn to before me this the 8th day of May, 1890.

G. L. OGDEN,
U. S. Commissioner.

UNITED STATES OF AMERICA, *Eastern district of Tennessee, ss:*

I, H. H. Taylor, clerk of the United States circuit court for said district, do hereby certify that in the case of The State of Tennessee *vs.* George T. Larkin, charged with murder, the following proceedings were had and entered of record, to wit:

January term, 1882.

1882.
Jan. 10. Motion entered to dismiss petition for removal of cause from State court.
Jan. 19. Motion to remand cause to State court overruled.
Jan. 22. Motion made by defendant for a continuance.
May 23. Jury called and respited; motion for a continuance overruled.
May 24. Jury respited.
May 25. Verdict of guilty. Motion for a new trial entered.
May 26. Motion for new trial continued.

July term, 1882.

July 10. Motion for new trial granted and case continued by consent.
July 11. Attachment ordered for witness.

January term, 1883.

1883.
Jan. 9. Case continued by the State of Tennessee.
July 17. Case continued by defendant.
July 17. Witness fees on behalf of prosecution ordered paid by the marshal at expense of the United States.

January term, 1884.

1884.
Jan. 7. Jury respited.
Jan. 18. Jury respited.
Jan. 19. Jury respited.
Jan. 21. Jury respited.
Jan. 22. Verdict of not guilty. Defendant discharged, and ordered that the costs in behalf of the State of Tennessee be taxed and certified for allowance, as provided by law.

As shown by the records in my office. Witness my hand and official seal this April 4, 1890.

[SEAL.]

H. H TAYLOR, *Clerk*,
By J. T. CARTER, *Deputy Clerk*.

(Indorsement:) State of Tennessee *vs.* George T. Larkin. Memorandum from the records. Exhibit A. Clerk's fees, $1.15, paid by George T. Larkin, April 4, 1890. J. T. Carter, deputy clerk.

STATE OF TENNESSEE *vs.* GEORGE T. LARKIN.

Witnesses at United States circuit court at Knoxville, Tenn. Witnesses on behalf of defendant.

Name of witness	County.	From—	To and including—	Days.	Amount.	Miles.	Amount.	Total amount.
Wm. Lindsay	Campbell	1882, May 23	1882, May 24	2	$3.00	84	$4.20	$7.20
Wm. Monroe	Hawkins	1882, May 22	do	3	4.50	186	9.30	13.80
J. M. Bellamy	do	do	do	3	4.50	190	9.50	14.00
P. P. Hensley	do	do	do	3	4.50	184	9.20	13.70
Wm. C. Larkin	do	do	do	3	4.50	170	8.50	13.00
Wm. C. Anderson	Scott Co., Va	1883, July 17	1883, July 17	1	1.50	170	8.50	10.00
Thos. J. Fletcher	do	do	do	1	1.50	170	8.50	10.00
J. M. Bellamy	Hawkins	1884, Jan. 14	1884, Jan. 18	5	7.50	190	9.50	17.00
Wm. Monroe	do	do	do	5	7.50	140	7.00	14.50
Wm. C. Anderson	Scott Co, Va	1884, Jan. 17	do	2	3.00	180	9.00	12.00
David Larkins	Hawkins	1884, Jan. 14	do	5	7.50	170	8.50	16.00
Thos. J. Fletcher	Scott Co, Va	do	1884, Jan. 19	6	9.00	170	8.50	17.50
Sam Barrett	Hawkins	1884, Jan. 17	do	3	4.50	180	9.00	13.50
J. A. Goddard	Hamblen	do	do	3	4.50	84	4.20	8.70
Total								180.90

A true copy from the record.
Attest:

H. H. TAYLOR, *Clerk*,
By J. T. CARTER, *Deputy Clerk*.

STATE OF TENNESSEE, *Hawkins County:*

This day personally appeared before me, the undersigned authority, C. C. Spears, a citizen of the county and State aforesaid, who makes oath and says, that he was the clerk of the circuit court of Hawkins County, Tenn., from October 1, 1878, until September 1, 1886; that while he was clerk of said court, one George T. Larkin, a deputy marshal of the United States, was therein indicted for murder in the first degree, for the murder of one Arthur Larkins, a citizen of the county aforesaid, whom he, as said deputy marshal, was attempting to arrest under process from the United States circuit court at Knoxville, Tenn. Said Larkins was indicted in the circuit court for Hawkins County, Tenn., at its September term, 1881, and the case was transfered from said State court to the United States circuit court at Knoxsville, Tenn., at its January term, 1882; that the costs which accrued to him as said clerk, while said prosecution was pending against said Larkins in said circuit court of Hawkins County, Tenn., amounted to the sum of $11.50. This includes my fees for making out a transcript of the record from my court and for my mileage and attendance one day as a witness before the Federal Court at Knoxville, Tenn., July 17, 1883. Larkins was arrested on a justice's warrant June 15, 1881, brought to Rogersville, Hawkins County, Tenn. The papers were returned before J. H. Spears, justice of the peace for said county, and before whom he was tried, as an examining court June 17, 1881. Said justice bound him to the September term of the circuit court for Hawkins County, Tenn., next following, but admitted him to bail. To keep from going to jail he had to go to Morristown, Hamblen County, Tenn., to get bail, and I agreed to go with him if my expenses were paid, which was $2.80. This was paid. I went with him, and with others went on his bond for his appearance at the September term of the circuit court for Hawkins County as aforesaid. And this with the costs aforesaid, amounting to the sum of $14.30 was paid me by said Larkins. Said Larkins was arrested on indictment aforesaid and thrown into the county jail at Rogersville, Tenn., where he remained until admitted to bail by Judge Newton Hacker on habeas corpus.

Sworn to and subscribed before me and in my presence this 29th day of March, A. D., 1890, and of the declaration of American Independence the one hundred and twenty-third year.

C. C. SPEARS.

[SEAL.] JAMES NUGENT,
Clerk of County Court.

STATE OF TENNESSEE, *County of Hamblen:*

This day personally appeared before, the undersigned authority with and for said county, ——— ———, personally known to me to be respectable and entitled to credit, and also being duly sworn according to law, deposes and says, that he was a witness for defendant G. T. Larkin in the case of the State of Tennessee *vs.* G. T. Larkin, charge, murder, transferred from the State court to the Federal court at Knoxville, Tenn., and there tried and acquitted at January term, 1884. That he attended as a witness at May 23 and 24 term, etc. That his attendance and mileage amounted to $8.20, which has been paid to me by the said G. T. Larkin.

Sworn to and subscribed before me this 12th day of March, 1890.

S. B. NOE,
Ex-United States Commissioner.

[SEAL.] J. F. LAFFERTY,
Notary Public.

ROGERSVILLE, *Tenn., March* 29, 1890.

DEAR SIR: At the request of George T. Larkin I write to state that, in June, 1881, the law firm of McDermott & Kyle, of which I was then a member, was employed by him to make his defense to a charge of murder brought against him by warrant before a justice of the peace for this (Hawkins) county, Tenn. On the trial before the justice, he was held to appear at the circuit court of this county to answer an indictment for murder, but was admitted to bail meanwhile.

For our services in his defense before the justice he paid us the sum of $15 on the 18th day of June, 1881. We were also employed to conduct his defense in the circuit court, for which services he agreed to pay us a fee of $50.

We represented him in the circuit court and had him admitted to bail and the case continued the first trial term, until it could be transferred by petition to the United States circuit court at Knoxville, Tenn., which was finally done and the case tried there, resulting in his acquittal.

On the fee of $50 agreed upon for services in the circuit court of this county, he paid us $15 October 1, 1881, and $20 October, 8, 1881, leaving a balance of $15, for which he afterwards executed to us his note.

Very truly yours,

H. G. KYLE.

Hon. W. H. H. MILLER,
Attorney-General United States, Washington, D. C.

STATE OF TENNESSEE, *Hawkins County:*

In the case of the late deputy marshal for the eastern division of Tennessee, in the circuit court of the United States, at Knoxville, Tenn., personally appeared before the undersigned authority Mariah Fletcher, a citizen of the county and State aforesaid, deposes on oath and says, that she attended as a witness in the foregoing case in behalf of the defendant, George T. Larkins, at the Federal court aforesaid at Knoxville, May the 22, 23, and 24, 1882, and July 17, 1883, being two mileages of 200 miles each and four days attendance on said court, making the sum of $26 in all, for which said Larkins paid me in full.

Sworn to and subscribed before me and in my presence this 28th day of March A. D. 1890, and of the Independence of the United States the one hundred and twenty-third year.

MARIAH FLETCHER.
S. BARRETT, *J. P.*

STATE OF TENNESSEE, *Hawkins County, ss:*

I, James Nugent, clerk of the county court within and for the county and State aforesaid, do hereby certify that S. Barrett, esq., was, on the 28th day of March, 1890, and is now an acting justice of the peace within and for the county and State above given, duly commissioned, qualified and sworn; and that all his official acts as such

are entitled to full faith and credit; and that his signature to the annexed instrument is genuine.

Given under my hand and official seal, at office, in Rogersville, this 29th day of March, A. D. 1890.

JAMES NUGENT, *Clerk.*

STATE OF TENNESSEE, *Hamblen County:*

This day came before the undersigned authority, David Rhea, and makes oath in due form of law that G. T. Larkin, who was indicted and tried and acquitted in federal court at Knoxville, Tenn., at January term, 1884, on the charge of murder, paid $6 to Rhea & Trallinger, of Whitesberg, Tenn., for livery hire for hack for defendant's witness, to have (*sic*) them from Hawkins County, Tenn., and Scott County, Va., to the railroad. This was before he was tried and acquitted; it was at May term of court, 1882. Affiant was a partner of Rhea & Trallinger at the time this was done and the hack hire paid by said Larkins. Affiant swears the fact that said Larkins paid the driver Ed. Oaks of said hack for his services $2, not included in the above amount of $6.

DAVID RHEA.

Sworn to and subscribed before me March 19, 1890.

G. L. OGDEN,
United States Commissioner.

STATE OF TENNESSEE,
vs.
G. T. LARKIN.

In the case late deputy United States marshal, eastern district of Tennessee. In the Federal court at Knoxville, Tenn. Indicted for the killing of Arthur Larkin while discharging the duties of said office.

Personally appeared before me, the undersigned authority, J. A. Goddard, having been duly sworn, states that he was a witness in the federal court at Knoxville, Tenn., in behalf of the defendant, G. T. Larkin, and as such attended January term of said court, 1884, from the 17th to the 19th of January, both inclusive, and that my costs amounted to $8.50, which the defendant settled with me (see voucher No. ——).

J. A. GODDARD,
Late Deputy United States Internal Revenue Collector.

Sworn to and subscribed before me this 12th day of March, 1890.

G. L. OGDEN,
United States Commissioner.

STATE OF TENNESSEE
vs.
G. T. LARKIN.

In the case late Deputy United States marshal, eastern district of Tennessee. In the Federal court at Knoxville, Tenn. Indicted for the killing of Arthur Larkin while in the discharge of his duty as deputy marshal.

Personally appeared before me the undersigned authority, Thos. J. Fletcher, having been duly sworn, states that (*sic*) was a witness in the federal court at Knoxville, Tenn., in behalf of the defendant G, T. Larkin, and as such attended the July term of said court July 17, 1883, and January term, 1884, from 14th to 19th day of January, both inclusive, and my costs amounted to $27.50, which was paid to me by the defendant G. T. Larkin (see voucher No.——).

THOS. J. (his x mark) FLETCHER.

Sworn to and subscribed before me this 27th day of March, 1890.

[SEAL.]

W. T. ELKS,
Notary Public for Hawkins County, Tenn.

STATE OF TENNESSEE
vs.
G. T. LARKIN.

In the case of late deputy United States marshal, eastern district of Tennessee. In the federal court at Knoxville, Tenn. Indicted for the killing of Arthur Larkin while in the discharge of his official duty as deputy marshal.

Personally appeared before me the undersigned authority, James M. Bellamy, and having been duly s worn, states that he was a witness in the federal court at Knoxville, Tenn., in behalf of the defendant, G. T. Larkin, at the May special term of said court,

1882, and attended May the 22 and 29, and attended the January term, 1884, from the 14th to the 18th, both inclusive, and that his costs amounted to $30.90, and the same was paid to him by the defendant, G. T. Larkin (see voucher) No. ——.

J. M. BELLAMY.

Sworn to and subscribed before me this the 27th day of March, 1890.
[SEAL.]

W. T. ELKS,
Notary Public for Hawkins County, Tenn.

STATE OF TENNESSEE }
vs.
GEORGE T. LARKIN. }

Personally appeared before me, the undersigned authority, and makes oath in due form of law and says that I went from Knoxville, Tenn., to Morristown, Tenn., for the purpose of going on the bond of George T. Larkins, who was indicted in the State court for murder on the 4th day of October, 1881, and met R. L. Blevins, sheriff of Hawkins, and went on said Larkin's bond, and my expenses was $3.25, and said Larkin paid the same.

S. P. EVANS.

Sworn and subscribed to before me, a notary public in and for said county and State, on this 28th day of April, 1890.
[SEAL.]

E. P. KING,
Notary Public.

KNOXVILLE, TENN., *April* 26, 1890.

To whom it may concern:

The firm of Andrews & Thornburgh were attorneys for George T. Larkin in the case of The State of Tennessee *vs.* George T. Larkin, murder, removed from the State court in Hawkins County to the United States circuit court at Knoxville, Tenn., tried and acquitted. The killing occurred while George T. Larkin, then a United States deputy marshal, was attempting to make an arrest under United States process. We were only counsel for defendant in the United States court; we charged him only about one-half a fee for our services, owing to his poverty, and the conditions United States officers were subjected to in making arrest under the revised laws in many parts of East Tennessee at that time; our charge against him for fee was $250, which, on the 19th day of September, 1882, he paid in full.

J. M. THORNBURGH,
Surviving Partner.

STATE OF TENNESSEE, *Knox County*:

Personally appeared before me, the undersigned authority, J. M. Thornburgh, with whom I am personally acquainted, and makes oath in due form of law that the matters set forth in the above statement are true to the best of his knowledge and belief.

J. M. THORNBURGH.

Sworn and subscribed before me this April the 26, 1390.
[SEAL.]

SAM. P. FOWLER,
Notary Public.

STATE OF TENNESSEE, *County of Greene:*

Personally came John Fain, of the county of ——, and makes oath in due form of law, that he was the State's attorney of the first judicial district for the State of Tennessee, and having in his circuit the county of Hawkins, where the indictment of G. T. Larkins, deputy United States marshal for the eastern district of Tennessee, charging him of murder while attempting to arrest one Arthur Larkins, of said county, at the September term, 1881, of the circuit court of Hawkins County, in discharge of his official business as deputy United States marshal. He was afterwards removed to the United States circuit court for the eastern district of Tennessee at Knoxville, Tenn., where he was tried and acquitted, and there being no grounds for suspension from his office by reason of said indictment in the State's circuit court of Tennessee so far as affiant understands. At that time the prejudice of the people against said Deputy United States Marshal Larkins was very strong, and may have been one of the reasons of his indictment; and when removed from said State's court he had no further connection in the matter, nor did he prosecute any claims whatever.

JOHN FAIN.

Sworn to and subscribed before me this the 16th day of April, 1890.
[SEAL.]

J. K. P. HALL,
Commissioner.

I have read the foregoing affidavit of Ex-Attorney Fain and fully approve what he states. I was judge of the first judicial circuit of Tennessee when George T. Larkins was indicted in the State court on the charge referred to. I admitted him to bail under a habeas corpus proceedings, and I believe the claim of Mr. Larkins ought to be paid.

May 3, 1890.

NEWTON HACKER,
Late Circuit Judge, etc.

JONESBOROUGH, TENN.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 403.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REQUESTING

An appropriation of three thousand dollars for the improvement of the grounds around the custom house at Rockland, Me.

MAY 29, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., May 28, 1890.

SIR: I have the honor to request an appropriation of $3,000 for the improvement of the grounds around the custom-house, etc., building at Rockland, Maine.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 404.

LETTER

FROM

THE ATTORNEY-GENERAL,

REQUESTING

That provision be made for the employment of counsel, etc., in the prosecution of a suit in behalf of the United States against the State of Texas.

MAY 29, 1890.—Referred to the Committee on Appropriations.

DEPARTMENT OF JUSTICE,
Washington, D. C., May 28, 1890.

SIR: I beg to call your attention to the fact that by the twenty-fifth section of the act for the temporary government of Oklahoma the Attorney-General of the United States is directed to commence and prosecute a suit, in behalf of the United States, in the Supreme Court against the State of Texas for the purpose of settling the title to Greer County. This section seems to contemplate that this shall be done as speedily as possible. The case is one of very great importance and will require the undivided attention of a good lawyer for a considerable period. With the force at my disposal in the Department such speedy and continuous attention can not be given to the matter as its urgency and importance demand. It is quite doubtful whether, under the general statutes, the Attorney-General has the authority to appoint a special assistant for services in the Supreme Court, as section 363 Revised Statutes limits such appointments to assistants to the district attorneys. At least, it is not clear that such authority exists under the general statutes.

I therefore suggest that either by joint resolution, or by some appropriate legislation, provision be made not only for the employment of counsel, but for the payment of other necessary expenses in this matter. For instance, one item of such necessary expenses will be the compensation of a master and stenographer in taking testimony.

Respectfully, yours,

W. H. H. MILLER,
Attorney-General.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 405.

INDIAN APPROPRIATION BILL.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

INCLOSING

A copy of a communication from the Commissioner of Indian Affairs, inviting attention to the necessity for the early passage of the Indian Appropriation Bill.

JUNE 3, 1890.—Referred to the Committee on Indian Affairs.

DEPARTMENT OF THE INTERIOR,
Washington, June 3, 1890.

SIR: I have the honor to transmit herewith copy of a communication of 2d instant from the Commissioner of Indian Affairs, inviting attention to the necessity for the early passage of the Indian Appropriation bill.

The Commissioner states that unless the bill becomes a law within the next two weeks, his office will be seriously embarrassed in supplying the Indians of the different agencies with food, and he recommends that a clause be inserted in the bill, authorizing the purchase in open market of supplies required, until contracts for the fiscal year ending June 30, 1891, are executed and approved and contractors have had time to bring supplies to the agencies (say for thirty days after the approval of the Indian Appropriation Act) to an amount not exceeding $10,000 at any one time.

A form of the proposed clause is herewith transmitted.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., June 2, 1890.

SIR: I have the honor to invite your attention to the fact that so far the Indian appropriation bill has not been introduced into the House, and that unless this is done and the bill becomes a law within the next two weeks, this office will be seriously embarrassed in supplying the Indians of the different agencies with food.

The supply of beef, flour, sugar, coffee, etc., and especially the beef, will be entirely exhausted, and as no contracts can be made and executed until the Indian appropriation act has been signed by the President and becomes a law, it will be difficult to supply the large agencies with beef in open market during the month of July, even if the act is signed by the President not later than June 15.

For example, take the Pine Ridge and Rosebud Agencies, where beef is issued every two weeks. It takes 250,000 pounds of beef for a two weeks' issue at Rosebud, costing about $7,500, and 150,000 pounds, costing about $4,500, at Pine Ridge. The law allows only purchases in open market at any one time to an amount not exceeding $3,000, hence the difficulty of supplying these agencies with beef until contracts are made and executed, and contractors have had time to bring cattle to the agencies.

In order to provide for this contingency, I would recommend that Congress be called upon to insert in the Indian appropriation bill a clause, authorizing the purchase in open market of supplies required, until contracts for the fiscal year ending June 30, 1891, are executed and approved, and contractors have had time to bring supplies to the agencies (say for thirty days after approval of the Indian appropriation act) to an amount not exceeding $10,000 at any one time.

I inclose a form of the proposed clause to be incorporated in the Indian appropriation bill.

Very respectfully,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

PROPOSED CLAUSE TO BE INSERTED IN THE INDIAN APPROPRIATION BILL.

That the Secretary of the Interior is authorized and directed for the period of thirty days, after the approval of the act making appropriations for the Indian service for the fiscal year ending June thirtieth, eighteen hundred and ninety one, to purchase in open market supplies required for the Indian service for the said fiscal year, or until contracts are executed and approved and contractors have had time to deliver supplies to the several agencies, to an amount not exceeding ten thousand dollars at any one time.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 406

UNITED STATES COURT-HOUSE, POST-OFFICE, ETC., AT KEOKUK, IOWA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REQUESTING

An appropriation of $7,500, *for additions to the United States court-house, post-office, etc., building at Keokuk, Iowa.*

JUNE 3, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., June 2, 1890.

SIR: I have the honor to request that an appropriation of $7,500 be made for increasing the height of the tower of the United States court-house, post-office, etc., building at Keokuk, Iowa, to furnish two new clock faces in said tower, and to provide a wire lattice fence along the line of the alley in the rear of the building.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 407.

ESTIMATE OF APPROPRIATIONS TO COMPLETE WORK OF THE INTERNATIONAL AMERICAN CONGRESS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of State, submitting estimates of appropriations to complete the work of the International American Conference.

JUNE 4, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *June* 3, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of State of the 24th instant, submitting estimates of appropriations to complete the work of the International American Conference.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE,
Washington, D. C., May 24, 1890.

SIR: I have the honor to submit herewith an estimate of the appropriation required to complete the work and carry into effect the recommendations of the International American Conference for the fiscal year ending June 30, 1891, with the request that you will transmit the same to the Senate and House of Representatives.

The Conference, by the unanimous vote of the eighteen nations represented, recommended—

(1) That an International American Monetary Union be established.

(2) That as a basis for this union an international coin or coins be issued, which shall be uniform in weight and fineness, and which may be used in all the countries represented in this Conference.

(3) That to give full effect to this recommendation, there shall meet in Washington a commission composed of one delegate or more from each nation represented in this Conference, which shall consider the quantity, the kind of currency, the uses it shall have, and the value and proportion of the international silver coin or coins, and their relations to gold.

(4) That the Government of the United States shall invite the commission to meet in Washington within a year, to be counted from the date of the adjournment of this Conference.

If Congress shall authorize such invitation to be issued, it will be necessary for the President to appoint one or more delegates to represent the Government of the United States, and for Congress to make the necessary appropriation to meet the expenses, for which it is estimated that $15,000 will be required.

The Conference, also by unanimous vote, recommended the appointment of a commission, to be composed of not more than three representatives from each of the seventeen American Republics, under whose direction is to be made a survey for an intercontinental line of railway to connect the railway system of North America with that of South America. The right of way of the proposed railroad is to be declared forever neutral territory; its property is never to be subjected to taxation, and the co-operation of all the nations is pledged to its protection. The salaries of the commissioners and the expenses of the survey are to be paid from a common fund, to be raised by the assessment of each of the nations interested in proportion to their respective populations; the headquarters of the commissioners are to be in Washington, and it is the hope that they may be able to meet at this capital for the purpose of organization on the 1st of October next, or soon thereafter.

It will, therefore, be necessary for the President to appoint three members of such commission, and for Congress to make the necessary appropriation for the share of the expense to be borne by the United States, which, it is estimated, will amount to $65,000.

The Conference also, by a unanimous vote, recommended the establishment at Washington, under the supervision of the Secretary of State, of "The International Union of American Republics for the Prompt Collection and Distribution of Commercial Information." A detailed description of its organization, operation, and objects will be found in the report of the Committee on Customs Regulations, as adopted by the Conference. The expense of organizing and maintaining such a union is to be borne in common by all the Republics of America, in proportion to their populations, and is estimated at $36,000 annually; to be collected and disbursed under the direction of the Secretary of State, as provided by articles 12 and 13 of the report above mentioned.

The Conference also, by a unanimous vote, recommended, for the convenience of merchants engaged in trade between the United States and the other Republics of America, the capitulation of a uniform nomenclature for articles of merchandise exported and imported, and its publication in the English, Spanish, and Portuguese languages. The expense of this compilation, which will be made under the direction of the Secretary of State, in connection with the International Union of American Republics above mentioned, is estimated at $10,000.

The Conference also, by unanimous vote, adopted the following resolution:

Resolved, That there be established, at such location in the city of Washington as the Government of the United States may designate, to commemorate the meeting of the International American Conference, a Latin American Memorial Library, to be formed of contributions from all the Goverments represented in this Conference, wherein shall be collected all the historical, geographical, and literary works, maps, manuscripts, and official documents relating to the history and civilization of America; such library to be solemnly dedicated on the day on which the United States celebrates the fourth centennial of the discovery of America.

It will be necessary to provide a suitable building in a convenient locality for the reception and protection of the proposed library, and it should be so arranged as to furnish accommodations for assemblages similar to the Conference that has just adjourned.

Temporary quarters may be found at the offices provided for the pro-

posed Bureau of Information, but a permanent structure of appropriate design and dimensions, to cost not exceeding $250,000, should be either purchased or erected for dedication on the 14th of October, 1892.

It is estimated that the cost of printing the proceedings and reports of the International American Conference, and their distribution to the public, as provided for by the Conference, will be $25,000; the cost of completing the unfinished work of the Conference, including the salaries of translators, copyists, clerks, etc., is estimated at $15,000, and for office rent, stationery, postage, fuel, lights, and other miscellaneous expenses, $9,500 will be required.

I am, sir, your obedient servant,

JAMES G. BLAINE.

The SECRETARY OF THE TREASURY.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 408.

LIGHT-HOUSE AT LUBEC NARROWS, MAINE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

CALLING

Attention to the necessity for an appropriation of fifteen thousand five-hundred dollars, for the completion of the Lubec Narrows, Maine, light-house.

JUNE 6, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *June* 5, 1890.

SIR: The Light-House Board, at its session of June 2, 1890, has asked that I should call the attention of the Committee on Appropriations to a letter of January 9, 1890, addressed to the Department, calling attention to the urgent necessity for an appropriation of $15,500, for the completion of the Lubec Narrows, Maine, light-house.

If money is not provided for this purpose at the present session of Congress, it is probable that there will be great loss to the Government through the destruction of the iron cylinder, now sunk and in progress of completion, during the coming winter. If the money is provided at an early day the cylinder may be filled and be safe from probable destruction.

A copy of the letter referred to of January 9, 1890, as printed in House of Representatives Document No. 97 is herewith inclosed; also a copy of the Board's letter to the Department, dated March 6, 1890.

Respectfully yours,

GEO. C. TICHENOR,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
OFFICE OF THE LIGHT-HOUSE BOARD,
Washington, March 6, 1890.

SIR: The Light-House Board has the honor to state that by its letter to the Department of January 9, 1890, request was made that an additional appropriation of $15,500 be recommended for completing the light-house and fog-signal at Lubec Narrows, Maine, and that it be in-

cluded in the urgent deficiency bill, the reasons rendering this additional appropriation necessary being stated.

On February 18 ,1890, a telegram was received by the Board from the Committee on Appropriations of the House of Representatives asking whether the contractors were not liable for the loss mentioned in House Ex. Doc. 97.

In response the Board has the honor to submit the inclosed copy of a report from the engineer of the first light-house district, dated Boston, Mass., March 4, 1890.

The Board heretofore, and before making recommendation, fully considered this subject, and at its session held on March 3, 1890, reviewed its judgment.

In the judgment of the Board, the contractors are not responsible for the untoward results following their efforts to place the iron cylinder, but considers it a casualty less than what would probably have happened in the sinking or overturning of the structure, had not the upheaval betrayed the treacherous ground underlying the clay.

A copy of the specifications for the work is also inclosed.

Respectfully,

JAMES F. GREGORY,
Major of Engineers, U. S. Army, Engineer Secretary.

The SECRETARY OF THE TREASURY.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 409.

SURVEY OF PUBLIC LANDS IN MONTANA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of the Interior of the 7th instant, submitting an increase in the estimate of appropriation for surveying the public lands for the fiscal year ending June 30, 1891, in the sum of $60,000, to be applied to expenses of surveys of public lands in Montana.

JUNE 10, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 10, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior of the 7th instant, submitting an increase in the estimate of appropriation for surveying the public lands for the fiscal year ending June 30, 1891, in the sum of $60,000, to be applied to expenses of surveys of public lands in Montana.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, June 7, 1890.

SIR: I have the honor to herewith submit a supplemental estimate of appropriation of $60,000 for "Surveying the public lands" during the ensuing fiscal year.

This proposed increase in the estimate heretofore submitted, if appropriated, is to be applied to expenses of surveys of public lands in Montana.

The matter is submitted for the favorable action of Congress.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 4, 1890.

SIR: I have before me by your reference a letter addressed to you by the Hon. T. C. Power, United States Senate, asking for an additional appropriation for surveys of public lands in Montana for the coming fiscal year, and after a careful consideration of the question suggested by him and after a consultation with the chief of the surveying division, I have become satisfied that $60,000 can be judiciously and successfully used for surveys in that State during the next fiscal year. Beyond question keeping unsurveyed so large a body of land in that State retards its settlement and improvement, and I believe it to be a sound public policy to facilitate the survey in that portion of the country as rapidly as possible. I have therefore the honor to recommend that the sum of $60,000, at least, be appropriated for the survey of public lands in the State of Montana.

The estimate heretofore made for Montana was far below the amount that we deemed really sufficient for that purpose, but we put it at $25,000, fearing that we could not induce Congress to appropriate a larger sum. This same remark will apply to other Western States as well as to Montana, and my deliberate opinion is that the surveys of the public domain are being too much retarded by inadequate appropriations, and that this error should be corrected as soon as possible. Letter of Hon. T. C. Power herewith returned.

Very respectfully,

W. M. STONE,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

Estimate of appropriation required for the service of the fiscal year ending June 30, 1891, by the General Land Office.

Surveying the public lands:

Surveys and re-surveys of public lands in Montana, $60,000, at rates not exceeding $9 per linear mile for standard and meander lines, $7 for township, and $5 for section lines, except that the Commissioner of the General Land Office may allow for the survey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding $13 per linear mile for standard and meander lines, $11 for township, and $7 for section lines, or if in case of exceptional difficulties in the surveys, the work can not be contracted for at these rates, compensation for surveys and re-surveys may be made by the said Commissioner at rates not exceeding $18 per linear mile, for standard and meander lines, $15 for township, and $12 for section lines. (R. S., page 390, sec. 2223; appropriated, vol. 25, page 959, sec. 1) $60,000.00

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 411.

UNITED STATES DISTRICT CLERK'S OFFICE AT SIOUX CITY, IOWA.

LETTER

FROM

THE ATTORNEY-GENERAL,

TRANSMITTING

A copy of a letter from the marshal of the northern district of Iowa respecting the renting of an office at Sioux City, Iowa, for the United States district clerk at that place.

JUNE 11, 1890.—Referred to the Committee on Expenditures in the Department of Justice.

DEPARTMENT OF JUSTICE,
Washington, D. C., June 9, 1890.

SIR: Inclosed is a copy of a letter of the 8th ultimo from the marshal for the northern district of Iowa respecting the renting of an office at Sioux City for the United States district clerk at that place.

The act "to divide the State of Iowa into two judicial districts," approved July 20, 1882, provides for the holding of terms in the northern district in three divisions, and adds that—

> The additional courts at the places in the several divisions named in this act shall be held in buildings provided for that purpose without expense to the United States

Under this legislation the authorities of Sioux City, Iowa, have furnished accommodations for the United States courts and officers; but owing to the rapid growth of the city the public business transacted by its authorities requires the use of all its rooms for their own officers continuously, so that there is really no accommodation adequate to the needs of the Government officers.

Similar legislation formerly was attached to the act creating courts of the United States at Jackson, Tenn.; but paragraph 13 of chapter 182, section 1, act of March 3, 1879, repealed so much of the original act as required "the authorities of the county of Madison, or town of Jackson, Tenn., to provide suitable buildings free of all expense to the United States, for holding United States district and circuit courts."

It is represented to the Department that a necessity exists for its renting accommodations for the United States courts at Sioux City, Iowa, until such time as Congress shall provide a public building at that place. The Department does not feel itself at liberty to incur such rent under existing legislation.

If Congress shall see fit to release the public authorities of Sioux City from its obligations under existing law, as it released the public authorities of Jackson, Tenn., the way will be open for the Department to secure accommodations at Sioux City.

Respectfully,

W. H. H. MILLER,
Attorney-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIOUX CITY, IOWA, *May* 8, 1890.

SIR: Herewith I inclose a certified copy of an order made by the circuit court for northern district of Iowa, directing that a suitable office for the clerk be provided at Sioux City, accompanied by the request of the clerk that the order be complied with at an early day.

I am conversant with the situation at Sioux City and know that the clerk does not overstate the necessity.

In anticipation of inquiries that may be made by the Department, I would say that I am advised a suite of three rooms, with water, light, heat, janitor service, and suitably furnished, can be obtained within a block of the county court-house for $25 per month. These rooms are centrally located in a building now occupied by a number of attorneys, and I think would be suitable.

Will you give this matter early attention, and give me the necessary instructions to carry into effect the said order?

I am, sir, very respectfully,

EDWARD KNOTT,
United States Marshal.

Hon. ATTORNEY GENERAL,
Washington, D. C.

SIOUX CITY, IOWA, *May* 7, 1890.

SIR: I hand you herewith certified copy of order of the circuit court for the northern district of Iowa, directing that a suitable office for the clerk be provided at Sioux City.

There is a great and pressing necessity for an office for the clerk, to be under his exclusive control. Much confusion arises from joint use of office in the court-house with the clerk of the State court, and there is no sufficient room there for keeping the Federal records.

I trust you will at once take steps to carry out the order of the court.

I am, sir, very respectfully,

A. J. VAN DUZEE,
Clerk.

Hon. EDWARD KNOTT,
United States Marshal, Northern District of Iowa.

SIOUX CITY, IOWA, *April* 12, 1890.

Orders is hereby given to have the room at present used by J. H. Bolton as deputy clerk of United States district court of the northern district of Iowa in the county court-house vacated.

W. W. MCELRATH,
Chairman Board of Supervisors, Woodbury County, Iowa.

I hereby certify the above to be a true and correct copy of the proceedings of the board of supervisors of Woodbury County, Iowa, at their April session, A. D. 1890.

J. J. JORDAN,
Auditor Woodbury County, Iowa.

UNITED STATES CIRCUIT COURT NORTHERN DISTRICT OF IOWA.

Be it remembered that at a regular term of the United States circuit court for the western division of the northern district of Iowa, begun and held at Sioux City, Iowa, on the 6th day of May, A. D. 1890, there were present the Hon. O. P. Shiras,

judge, presiding, Edward Knott, United States marshal, and A. J. Van Duzee, clerk of said court, and thereupon the following among other proceedings were had, to wit:

In the matter of providing a suitable office for the clerk of this court.

ORDER.

It appearing to the court that the State courts use and occupy the county court-house at Sioux City, Iowa, a large part of the year, and that there are no rooms in said court-house that can be set apart for the exclusive use of the clerk of this court and for the safe-keeping of its records, that the vaults in said court-house are insufficient for the proper and safe storage and keeping of both the records of the State courts and of this court.

It is now, therefore, hereby ordered that the marshal be, and he is hereby, directed to lease and procure in Sioux City, Iowa, outside of the court-house, a good and sufficient office for the clerk of this court for the proper dispatch of the public business and the safe-keeping of the court records.

Read, approved, and signed in open court.

O. P. SHIRAS,
Judge.

In the circuit court of the United States for the northern district of Iowa.

I, A. J. Van Duzee, clerk of said court for said district, do hereby certify that the foregoing transcript contains a full, true, and complete copy of the order of the circuit court of the United States for the northern district of Iowa "in the matter of providing a suitable office for the clerk of this court." As full, true, and complete as the original of the same now remain on file and of record in my office.

In testimony whereof I hereunto subscribe my name and affix the seal of said court at my office in Sioux City, in said district, this 7th day of May, A. D. 1890.

[SEAL.] A. J. VAN DUZEE,
Clerk United States Circuit Court Northern District of Iowa,
By J. H. BOLTON,
Deputy.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 412.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

REQUESTING

An appropriation of $8,000 *for the United States post-office, court-house, etc., building at Wichita, Kans., for heating apparatus, elevator, and the completion of the building.*

JUNE 11, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., June 9, 1890.

SIR: I have the honor to request that an appropriation of $8,000 be made for the United States post-office, court-house, etc., building at Wichita, Kans., that the heating apparatus may be placed, an elevator provided, and the building completed.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 413.

STATE CLAIMS.

LETTER

FROM THE

ACTING SECRETARY OF THE TREASURY

TRANSMITTING

The report of he Third Auditor and Second Comptroller, making allowances to the State of Massachusetts of $26,228.44, *and the State of Pennsylvania of* $7,546.83, *on account of "refunding to States expenses incurred in raising volunteers," and to the State of Texas* $148,615.97, *on account of "re-imbursement to certain States and Territories for expenses incurred in repelling invasions and suppressing Indian hostilities."*

JUNE 12, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 12, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress the report of the Third Auditor and Second Comptroller, making allowances upon the following State claims:

On account of "refunding to States expenses incurred in raising volunteers," viz: State of Massachusetts, $26,228.44, State of Pennsylvania, $7,546.83; on account of "re-imbursement to certain States and Territories for expenses incurred in repelling invasions and suppressing Indian hostilities," viz: State of Texas, $148,615.97.

Respecttully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
THIRD AUDITOR'S OFFICE,
Washington, D. C., June 11, 1890.

SIR: I have the honor to report that, since the date of the last preceding list of certified claims, transmitted to the Secretary of War, January 13, 1890, the Second Comptroller has made the following allowances upon State war claims, viz:

Massachusetts (act July 27, 1861)	$26,228.44
Pennsylvania (act July 27, 1861)	7,546.83
Texas (act June 27, 1882)	148,615.97

(Vide list herewith).

Respectfully, yours,

W. H. HART,
Auditor.

Hon. WM. WINDOM,
Secretary of the Treasury.

TREASURY DEPARTMENT,
SECOND COMPTROLLER'S OFFICE,
Washington, D. C., June 4, 1890.

SIR: I have the honor to transmit herewith, for your consideration, in obedience to the provisions of an act of Congress approved June 27, 1882 (23 Stats., 111), the papers, abstracts, vouchers, and evidence filed with the claim of the State of Texas against the United States for expenses incurred in repressing Indian and Mexican invasions, to the end that said claim, together with all papers, abstracts, vouchers, and evidence may be by you reported to Congress for its final action as in said act required.

I further report to you, as the result of my examination and investigation of said claim, that the State of Texas expended $148,615.97.

Respectfully, yours,

B. F. GILKESON,
Comptroller.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

Estimates for the payment of claims received and examined by the accounting officers of the Treasury Department.

Settlement.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
9982	State of Massachusetts	Refunding to States expenses incurred in raising volunteers. (Act July 27, 1861. Certified claims.)	1861-1865	$23, 228.44
9494	State of Pennsylvania	.....do	1861-1865	7, 546.83
197	State of Texas	Re-imbursement to certain States and Territories for expenses incurred in repelling invasion and suppressing Indian hostilities. (Act June 27, 1882. Certified claims.)	1865-1882	148, 615.97
				182, 391.24

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 414.

EXPENSES OF UNITED STATES COURTS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Attorney-General, submitting estimates of deficiencies in appropriations on account of expenses of United States courts.

JUNE 12, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *June* 11, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of the 9th instant, submitting estimates of deficiencies in appropriations on account of expenses of United States courts, as follows:

Special compensation of district attorneys, 1884	$2,000
Pay of special assistant attorneys, 1890	1,050
Pay of special assistant attorneys, 1889	1,000
Pay of special assistant attorneys, 1888	450
Rent of court rooms, 1886	110

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., June 9, 1890.

SIR: I have the honor to send you, for presentation to Congress, the following accounts for legal services performed in the interest of the Government, for which there is no existing appropriation; also a rent account for 1886:

1888, 1890. To compensate L. F. Coburn, special assistant to the United States attorney for northern district of California, for services in case of J. McKenzie and R. D. Hume *vs.* W. E. Dougherty, acting Indian agent, and L. La Foret, for expelling them from Hoopa Valley Agency, California ($250 and $250) $500

EXHIBIT A.

1884. To compensate Elihu Root, United States attorney, for unofficial services in case the Yale Lock Manufacturing Company *vs.* Thomas L. James, in the fiscal year 1884 2,000

EXHIBIT B.

This account was approved by my predecessor, Hon. Benjamin Harris Brewster, December 18, 1884, in the sum of $2,000, and referred to the accounting officers for settlement, but was not paid for want of money, the regular appropriation for the fiscal year 1884 being then (December 18, 1884) exhausted. This account has never been presented for or included in a deficiency appropriation.

1888, '89, '90. To compensate Shirley C. Ward, special United States assistant attorney for southern district of California, for services rendered for the Mission Indians in California from May 5, 1888, to April 1, 1890, under appointment January 19, 1886 ($200, $1,000, and $800)..... $2,000

EXHIBIT C.

1886. To compensate Eugene Van Patten for use of the court-house at Las Cruces, N. Mex., from March 13 to April 3, 1886, both days inclusive, twenty-two days, at $5..... $110

EXHIBIT D.

Appropriation 1886, covered into Treasury.

RECAPITULATION.

	1884.	1886.	1888.	1889.	1890.
Unofficial services	$2,000				
Special counsel			$450	$1,000	$1,050
Rent		$110			
Total	2,000	110	450	1,000	1,050

Very respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

EXHIBIT A.

DEPARTMENT OF JUSTICE,
Washington, February 11, 1888.

SIR: You are hereby appointed an assistant to the attorney of the United States for the northern district of California, for the purpose of defending Capt. William E. Dougherty, U. S. Army, acting Indian agent, Hoopa Valley Agency, Cal., in the suits brought against him by John McKenzie and R. D. Hume, for expelling them from the Klamath Indian Reservation.

Your compensation will be determined by the Attorney-General upon the completion of your services.

Execute the customary oath of office and forward the same to this Department without delay.

A. H. GARLAND,
Attorney-General.

L. F. COBURN, Esq.
(Through John T. Carey, esq., U. S. attorney, northern California, San Francisco.)

[In the superior court of the county of Del Norte, State of California. R. D. Hume, plaintiff, vs. Wm. E. Dougherty and L. La Foret, defendants.]

The United States of America to L. F. Coburn, Esq., Dr.

For services as assistant attorney of the United States for the Northern District of California, for the purpose of defending Captain Wm. E. Dougherty, U. S. Army, acting Indian agent, Hoopa Valley Agency, California, in the suit brought against him by R. D. Hume, for expelling him from the Klamath Indian Reservation, under appointment dated February 11, 1888, a certified copy of which appointment is hereto attached ..... $2,500.

The following is a full, true, and correct history of the case, and all the steps taken therein by both plaintiff and defendant; all the steps taken by defendant being so taken by me as attorney aforesaid.

On October 5, 1887, the defendant, Capt. William E. Dougherty, U. S. Army, received peremptory orders from A. B. Upshaw, acting commissioner, to prevent plaintiff, R. D. Hume, from erecting, building, etc., and from fishing or in any way trespassing in or upon the Klamath Indian Reservation, and to remove any building plaintiff may have erected, and all other materials and effects belonging to said plaintiff from such reservation.

And on October 7, 1887, said defendant, Capt. William E. Dougherty, received written orders from his department commander at San Francisco to the same effect.

Defendant Capt. William E. Dougherty's obedience to said orders resulted in this action to restrain him from so doing.

The goods, etc., seized by defendant under such orders are alleged to be of the value of $7,400.

The complaint was filed; summons and temporary injunction issued on December 27, 1887.

January 9, 1888, defendants appeared by their attorney, L. F. Coburn, esq., and demurred; which, after argument, was by the court sustained on March 30, 1888, with leave to plaintiff to amend. At the same time a motion was made that the temporary injunction be dissolved.

Amended complaint served and filed April 19, 1888.

May 29, 1888, demurrer to same served and filed, and at same time notice of motion to set aside complaint.

On December 11, 1889, the said demurrer was sustained and on motion the said temporary injunction dissolved and the action dismissed.

The defendant, Capt. William E. Dougherty, and his control over the reservation having been in effect sustained throughout.

L. F. COBURN,
Attorney for Defendants.

NORTHERN DISTRICT OF CALIFORNIA, *County of Del Norte, ss.:*

L. F. Coburn, assistant United States attorney for the northern district of California, being duly sworn, deposes and says that the services charged in the foregoing account have been actually and necessarily performed as therein stated; that the item charged is correct and legal and the amount thereof justly due to him as therein stated, as he verily believes.

L. F. COBURN.

Subscribed and sworn to before me this 31st day of December, A. D. 1889.

JAMES BROOKING,
Notary Public.

EXHIBIT B.

[Circuit court of the United States, for the southern district of New York.]

The United States of America to Elihu Root, United States attorney for the southern district of New York, Dr.

To services rendered as attorney for the defendant in the suit of "The Yale Lock Manufacturing Company *vs.* Thomas L. James," as follows: To taking testimony; examination of the evidence and preparation of brief for final hearing; argument of the cause on final hearing at Hartford, Conn., March 24 and 25, 1884, before Hon. Judge Shipman, United States district judge for the district of Connecticut, who, sitting as circuit judge for the southern district of New York, tried this case; preparation of final decree; examination of the transcript of record for the Supreme Court, prepared by the clerk of the court on complainant's appeal $3,000

In this case infringement was charged of a patent re-issued in 1879, and having then nine years to run. The infringement complained of consisted in the use of metal-fronted letter and newspaper boxes in the New York post-office, of which the defendant was postmaster. An injunction and an accounting of profits and damages were prayed for. The district attorney was directed to appear and defend the suit at the request of the Postmaster-General by letters of the Department of Justice dated December 13, 1880, and January 28, 1881.

Simultaneously with the bringing of this suit upwards of seventy other suits were brought against other postmasters in various parts of the country, charging infringement of the same patent in the use of similar boxes. This suit, with the sanction of the Post-Office Department and of the Department of Justice, was made the test case.

The complainants' counsel stated their claim for compensation to be equivalent to a royalty of a dollar a box a year. The evidence in this case shows that upwards of a hundred thousand boxes made on the same patent with those in the New York post-office were put into other post-offices by the same contractor who put up those in the New York office, viz: The Johnson Rotary Lock Company; and the complainants' claim that there were also other boxes used which infringed their patents made by other manufacturers. As the patent had nine years to run after the last re-issue, it is obvious that the amount involved in the litigation was large.

Before bringing this suit the complainant had prosecuted and destroyed the Johnson Rotary Lock Company—the contractor for the New York post-office boxes having obtained a decree sustaining the patents and awarding an injunction. It had also obtained an injunction against the National Lock Manufacturing Company, another manufacturer of similar boxes, and had had the patent sustained against vigorous opposition, with a construction apparently broad enough to cover the New York post-office boxes as infringements. The preparation of the defendant's brief required the examination and study of 279 printed pages of testimony and 296 printed pages of documentary evidence.

The result of the trial was a decree in favor of the defendant, dismissing the bill on the ground of non-infringement. The complainants have appealed the case to the Supreme Court.

ACTION.

December 18, 1884, approved for $2,000 and respectfully referred to the First Auditor of the Treasury; payment to be made from fees United States attorneys' fund, 1884, to Elihu Root, New York City, N. Y.

BREWSTER,
Attorney-General.

EXHIBIT C.

LOS ANGELES, CAL., *April* 25, 1890.

DEAR SIR: I inclose herewith my bill for services as special United States attorney for the Mission Indians in California from May 5, 1888 to April 1, 1890, rendered under appointment of January 14, 1886 (see letter N. T. N. R. 218, Department of Justice, dated January 14, 1886). By referring to your letter of August 2, 1889, to the honorable Secretary of the Interior, a copy of which you forwarded to me, you will see that my compensation will have to be obtained by special Congressional appropriation. The bill has been approved by ex-Indian Agent Preston and by Major Rust, the present agent for this agency, and I now submit the same to you for your approval, and if approved by you I would like for you to refer the matter to Congress, with your approval, for immediate action by this session of Congress, if possible.

The following is a more extended account of the services rendered than is contained in the bill itself, viz: The first service charged, of representing the Indians in the case of John Morongo *et al. vs.* John G. North and Richard Gird, is a suit in equity in the United States circuit court for the southern district of California, and is brought to quiet and establish the title of the Indians to lands in the Potrero or Banning Reservation, in San Bernardino County, Cal. The suit also stays all proceedings in an ejectment suit entitled North and Gird *vs.* J. W. Preston, United States Indian Agent, *et al.*, commenced in the superior court of San Bernardino County, and removed by me from such court to the Federal court. The ejectment suit was commenced by Messrs. North and Gird against Colonel J. W. Preston (the then United States Indian Agent for the Mission Indians) and the Indians, in possession of some 1280 acres of land in the Potrero Reservation, being the most valuable lands in the reservation, and controlling almost the entire water supply of the Indians. The case was intended as a test case as to the Indians' rights to all other lands in similar condition of title; nearly one-half of the lands in four townships resting upon the same state of facts, with the same laws applicable thereto. All of the trespassers upon such reservation had been evicted by the military, under instructions from the Indian Department, and the ejectment suit of North and Gird *vs.* Preston *et al.* was intended to test the Government's rights to cause such eviction. All proceedings in such suit were suspended

upon filing the bill in equity in the case of Morongo *et al. vs.* North and Gird, and the taking of testimony in such case began over a year ago and has continued with adjournment from time to time ever since. A vast volume of testimony has been taken in the case and much more is yet to be taken.

The principal controversy of fact in the case is as to whether the lands in controversy were in the occupancy and possession of the Indians at the time of the transfer of sovereignty from Mexico to the United States, and it is upon the establishment of this fact in the affirmative that the successful maintenance of the rights of the Indians depends. The difficulty of procuring reliable testimony as to a fact calculated to attract so little attention as the possession by Indians of a given tract of land, at such an early period in this State's history has been the great obstacle in this case, and it has required a thorough scouring of the whole country in search of such evidence and the work has required much time and attention, and required the testimony to be taken at different places, some at Banning, some at San Bernardino, and some at Los Angeles. The Indians' title rests principally upon their possession at the time of the transfer of sovereignty from Mexico, but particularly under executive orders of the President reserving the lands for Indian purposes.

The defendants claim is principally under Congressional grant of odd sections to the Southern Pacific Railroad Company, but as to a portion of the land they hold patent from the State of California. If the case should be lost by the Indians a precedent will be established which will deprive them of their most valuable lands lying outside of Mexican grants, as all of such cases involve about the same questions of fact and law.

As to the second item in the bill, viz, the contest between the Indians and John J. Walsh: This was an audacious attempt upon the part of Walsh and some of his followers to jump an old Indian homestead, upon which the Indians had had their fields and orchards from time immemorial, but which, as it happened, had never been formally set aside by the President as an Indian reservation, and had in no way been entered by the Indians under any of the United States land laws, Walsh's idea being to secure the land which adjoins the Indian village of Agua Caliente and to establish thereon a drinking and gambling house and place of general debauchery, that Indians in the village might spend with him all their earnings. The attempt so far we have succeeded in frustrating. The matter is now on appeal by Walsh to the Secretary of the Interior. In securing our evidence and taking the testimony in the case it was necessary to go down into the mountains of San Diego County to the little mining town of Julien, and the case required my absence from my office for about two weeks. Three briefs have already been filed by me in the matter.

As to the next matter charged in my bill, viz, investigating the property rights of the Indians on the College Rancho, in Santa Barbara County, and negotiating with the ranch owners an adjustment of the Indians' rights thereon: This matter required a trip to San Francisco and a search of the archives of the survevor-general's office and the records of the old United States district court, to ascertain the condition of the ranch title and the right of the Indians thereon as reserved or established by the Mexican Government, or by the United States land commissioner, or the district court, and then a trip by steamer and stage to Santa Yuez, in Santa Barbara County, to view the premises in controversy and interview the witnesses and the ranch owners. Upon a thorough investigation of all the facts I found that the Indians were entitled to a small portion of rather desirable lands on Sanja Cota Creek, but that they were becoming so hedged in by the surrounding lands being platted and mapped and filled up by white settlers, that it was desirable to find for them a better and more ample location upon the ranch, and this has been agreed upon by the ranch owners and myself. The ranch owners are to build the Indians comfortable houses and bring out the water in an irrigating ditch to them, and to give them a much larger area of lands then they now own or claim.

As soon as this arrangement can be consummated the Indians will be established in houses of their own, with unquestioned title and their property interests and general welfare much improved. The matter has required several weeks of time and attention on my part, and I hope the adjustment will soon be finally consummated.

The next item in my bill, viz, services rendered in collecting data and making surveys preparatory to the bringing of some fourteen equity suits to establish the Indians' titles to their various villages and adjoining lands, on confirmed Mexican grants in San Diego County, has been a work requiring much time and attention and much negotiation with the ranch owners, and is the most important and far-reaching work I have had in hand for the Government.

These tracts include the principal and most valuable Indian lands in this agency, the several tracts embracing from 20 to 400 acres each, and covering the most fertile lands located upon the various ranches. The gathering of the data necessary to bring the several suits has been going on for over a year and has now been consummated, and the suits would all have begun ere this, but negotiations have at all times been pending for amicable settlement with the ranch owners, and as to two of the ranches there

is still some hope of settlement with the owners. Since the law of these cases nas been established by the decision of the supreme court of this State, in the case of Byrne *vs.* Alas *et al.*, the cases will all be fought upon the facts.

As to the last item of the bill, viz, services rendered from time to time in the way of general legal advice to and counsel with the Indians and Indian Agent: The services include miscellaneous advice and counsel rendered to the agent and the Indians from time to time during the past two years. Questions involving the landed and water rights of the Indians have constantly been coming up and advice required as to the proper mode of protection of such rights against the encroachments of trespassers.

These services I have not attempted in any way to itemize, but render my bill for what I considered the aggregate value thereof. If you desire any further particulars as to the service rendered by me, I would refer you to Mr. Frank D. Lewis, now special U. S. Indian agent, and to Maj. H. N. Rust, the present local agent for the Mission Indians, and to Col. J. W. Preston, ex-Indian agent for such Indians.

Hoping that the bill will meet with your approval, and that an appropriation for the payment will be made by this Congress,

I am, respectfully,

SHIRLEY C. WARD.

Hon. W. H. H. MILLER,
United States Attorney-General, Washington, D. C.

United States of America to Shirley C. Ward, Special Counsel for the Mission Indians of California, Dr.

To services rendered as special United States attorney for the Missions in California between May 5, 1888, and April 1, 1890, under appointment dated January 14, 1886 (see letter N. T. N. R. 218, Department of Justice), as follows, viz:

Services in case of John Morongo, *et al.*, vs. John G. North and Richard Gird, in the circuit court of the United States for the southern district of California; suit in equity to quiet and establish the Indians' title to their lands in the Potrero Reservation at and near Banning, in San Bernardino County, Cal., and also to stay proceedings in ejectment suit of North and Gird vs. J. W. Preston *et al.*, transferred from State to Federal court, under instructions from Indian Department. Indian title based upon occupancy and possession under Mexican laws at the time of the transfer of sovereignty, and also based upon executive orders, setting aside such lands as Indian reservation; defendants title based upon Congressional grant to the Southern Pacific Railroad Company, and upon patent from the State of California. Testimony still being taken and case not yet submitted	$1,500
Services in contest between the Indians and John J. Walsh, involving titles to lands in sections 24 and 25, in T. 10 S. 3 E., and in section 10, T. 10 S., R. 4 E., S. B. M., in San Diego County, Cal., and testimony taken at Julien, San Diego County, and decided in favor of the Indians by the register and receiver of the local land office, and by the Commissioner of the General Land Office, and now on appeal to the Secretary of the Interior	200
Services in the matter of investigating the property rights of the Indians in the College Rancho, in Santa Barbara County, and in negotiation with the owners of such rancho, looking to an adjustment of the rights of the Indians on such rancho, by setting off to them a desirable and definite tract of land and furnishing them with houses and ample water for irrigation (negotiations still pending, and not yet consummated)	250
Services in the matter of collecting data in the way of causing surveys to be made, gathering evidence, and preparation for bringing of fourteen suits to quiet and establish the Indian title to fourteen tracts of land on Mexican grants, and in negotiating settlement with the owners of such tracts of lands, which tracts are as follows, viz: On the Rancho San José Del Valle, in San Diego County; Agua Caliente, San José, and Puerta de la Cruz; on the Rancho Valle de San José; La Puerta and Matajuai; on the Pauma Rancho, San Diego County, Lower Potrero, Upper Potrero, Pauma Village, Francisco Majil, José Pobango, and Juan Sawyer; on the Rancho Santa Ysabel, San Diego County; Carriseta, Manuel's, and Santa Ysabel Village	750
Services rendered from time to time in the way of general legal advice to and counsel with the Indians and Indian agent	300
Total	3,000

EXHIBIT D.

The United States of America to Eugene Van Patten, Dr.

To rent of Van Patten's Theater for use of the court of the third judicial district, Territory of New Mexico, from the 13th day of March to the 3d day of April, 1886, both days inclusive, twenty-two days, at $5 per day $110.00

TERRITORY OF NEW MEXICO,
County of Dona Ana, Third Judicial District Court:

Personally appeared before me, the undersigned authority, Eugene Van Patten, and being first duly sworn, deposes and says that the above account is correct and true, and that the amount charged is reasonable, and that no part thereof has been paid.

EUGENE VAN PATTEN.

Subscribed and sworn to before me this 4th day of October, A. D. 1886.

W. J. JOBLIN,
Clerk Third Judicial District Court.

The above account as reduced is hereby approved by me.

W. T. HENDERSON,
Judge Third Judicial District Court, New Mexico.

ELEVENTH DAY, *March* 12, 1886.

Ordered by the court that the following report be spread upon the minutes of said court.

In the matter of the condition of the Dona Ana County court-house.

It having been suggested to the court on a previous day of the term that the court-house building in which the court is being held was unsafe and dangerous to human life in consequence of the giving way of the east wall of the said building, upon which suggestion the court appointed a commission of three experts to examine said building and to report immediately, whereupon, in pursuance of the orders of the court, said commission submitted the following report, to wit:

Hon. WM. F. HENDERSON,
Judge of the Third Judicial District Court.

SIR: Your commissioners, appointed by you to examine the court-house building and report as to its present safety, beg leave to make the following report:

We find the roof of a substantial character, but defective in that the main truss, or the two main supports, are not connected with or bound to the outside walls. This can be remedied at a small expense.

On the main floor of the court-room we find that the east wall is not connected or tied to the joist as is customary, and in fact necessary; from a very slight settling of the east wall in addition to the pressure of the roof, greatly increased by the high winds, we deem it necessary that steps should be taken at once to secure the permanent safety of the building. In its present condition and the high winds prevailing at this season, the building is not, in our opinion, perfectly safe.

Respectfully submitted.

O. R. HARDING.
JOHN HILL.
W. J. JOBLIN.

That afterwards, to-wit: On the 13th day of March, 1886, it being made to appear to the satisfaction of the court by the inspection of the presiding judge thereof, attorneys in attendance upon the court, and the jurors, litigants, and spectators that said court-house is in such condition as to endanger the lives of the people and the records of the court.

The court orders that the further session of said court for the present March term be held in Van Patten's hall, a building in the near vicinity of said court-house, in the town of Las Cruces, Dona Ana County.

It is further ordered that inasmuch as there is not room sufficient in said Van Patten's hall for the use of the United States grand jury and the Territorial grand jury, the marshal of the Territory and sheriff of Dona Ana County, respectively, provide suitable grand jury rooms for said juries, and the cost of the court room and jury rooms be paid equally by the United States and the Territory.

It is further ordered by the court that the records of this court be kept by the clerk, sheriff, and marshal in the Van Patten hall as a court-house, or in the court-house abandoned as unsafe, provided greater security be thereby assured, and that for the time being the said Van Patten hall be in all respects designated as the court-house.

TERRITORY OF NEW MEXICO, *Third Judicial District Court.*

I, A. L. Christy, clerk of said court, do hereby certify that the above and foregoing is a true and correct transcript from the records of the proceedings of said court of March 12, 1886.

In witness whereof I hereunto set my hand and the seal of said court this 12th day of April, A. D. 1890.

[SEAL.]

A. L. CHRISTY,
Clerk.

THIRTIETH DAY, *April* 3, A. D. 1886.

Ordered by the court that the following allowances be, and the same are hereby, made to the following named persons, in the amounts set opposite their respective names: (Among others)—

Eugene Van Patten, for rent of court-room for twenty-two days, from the 13th day of March to the 3d day of April, both days inclusive.....	$275
For rent of grand jury room for twenty days, from the 13th day of March to the 1st day of April, both days inclusive, at $2.50 per day.....	50

TERRITORY OF NEW MEXICO, *Third Judicial District Court.*

I, A. L. Christy, clerk of said court, do hereby certify that the above and foregoing is a true and correct abstract from the records of an allowance made to Eugene Van Patten, as appears by the records of said court, on the 3d day of April, A. D. 1886.

In witness whereof I have hereunto set my hand and the seal of said court, this 12th day of April, A. D. 1890.

[SEAL.]

A. L. CHRISTY,
Clerk.

The foregoing account has been allowed by the court as stated. The buildings were furnished, as therein stated, and we believe the account to be just, and that it should be paid by the United States.

JOHN R. MCFIE,
Judge Third District.
EUGENE A. FISKE,
United States Attorney, New Mexico.
TRINIDAD ROMERO,
United States Marshal, New Mexico.

LAS CRUCES, N. MEX., *April* 12, A. D. 1890.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 415.

TRANSCRIPTS OF RECORDS AND FILES OF PRIVATE LAND CLAIMS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of the Interior of the 10*th instant, submitting an estimate of appropriation for the fiscal year ending June* 30, 1891, *for transcripts of records and files of private land claims in New Mexico*, $2,000.

JUNE 12, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 12, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior of the 10th instant, submitting an estimate of appropriation for the fiscal year ending June 30, 1891, for "transcripts of records and files of private land claims in New Mexico," $2,000.

Respectfully yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, June 10, 1890.

SIR: I have the honor to transmit herewith an estimate of appropriation, submitted by the Acting Commissioner of the General Land Office, of $2,000 for "transcripts of records and files of private land claims in New Mexico" for the fiscal year ending June 30, 1891. The estimate is forwarded for appropriate action by Congress.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 10, 1890.

SIR: I have the honor to transmit herewith estimate for the translation, transcription, and certification of papers in relation to private land claims in the office of the surveyor-general of New Mexico, for your approval.

Very respectfully,

W. M. STONE,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1891, *by the General Land Office.*

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.
Transcripts of records and files of private land claims in New Mexico:		
Expenses attending the translation, transcription, recording, and certification of papers on file or of record in the office of the surveyor-general of New Mexico (submitted).....	$2,000	$2,000

NOTE.—In explanation of the above estimate it is reported by Inspector Harlan, after a careful examination, that the files and records in said office relating to private claims are in a chaotic condition. That original papers forming the muniments of title, deeds, wills, etc., are being destroyed by dirt or constant handling; that many such papers have never been either translated or examined, and therefore their bearing upon the claims presented (some of which are now pending before Congress), is unknown. These valuable papers ought to be examined, arranged, etc., and transcribed into proper volumes, and certified to, before they are lost or destroyed.

Congress, or the courts, may have use in the future for said papers in the final settlement of important claims.

Approved.

W. M. STONE,
Acting Commissioner.

GENERAL LAND OFFICE, *June* 9, 1890.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 416.

UNDELIVERED PATENTS IN ARKANSAS AND MISSISSIPPI.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

INCLOSING A

Copy of the report of the Acting Commissioner of the General Land Office giving an approximate estimate of the number of undelivered patents for lands in the States of Arkansas and Mississippi, in reply to a resolution of the House of Representatives dated April 29, 1890.

JUNE 14, 1890.—Referred to the Committee on Public Lands and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, June 13, 1890.

SIR: I have the honor to acknowledge the receipt of a resolution of the House of Representatives, dated April 29, 1890, as follows:

Resolved by the House of Representatives, That the Secretary of the Interior be, and he hereby is, requested to cause to be made a list and description of such patents as were issued for lands in the States of Arkansas and Mississippi prior to August 20, 1866, and not yet delivered, by land districts, showing the number, date, grantee, and description of the land, and transmit the same to the House for information.

In part reply thereto I inclose herewith a copy of the report of the Acting Commissioner of the General Land Office, dated the 10th instant, giving an approximate estimate of the number of undelivered patents referred to in the resolution.

On receipt from the Commissioner of the General Land Office of the full information called for a further reply to the resolution will be made.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 10, 1890.

SIR. I have received, by reference from the Assistant Secretary, with request for report thereon in duplicate, a copy of a resolution by the House of Representatives dated April 29, 1890, calling upon the Secretary of the Interior to cause to be made a list and description of such patents as were issued for lands in the States of Arkansas and Mis-

sissippi prior to August 20, 1866, and not yet delivered, by land districts, showing the number, date, grantee, and description of the land, and to transmit the same to the House for information.

In reply, I have the honor to state that an approximate estimate of the number of patents in this office, as described in the resolution, is as follows:

Arkansas:		
Batesville	2,501	
Champagnole	4,149	
Clarksville	1,176	
Fayetteville	317	
Helena	789	
Little Rock	1,340	
Washington	1,137	
Total		11,409
Mississippi:		
Chocchuma	4,580	
Jackson	69	
Jackson, Augusta, and Paulding	520	
Augusta Choctaw	12	
Washington	125	
Total		5,306
Grand total		16,715

There are also many patents separately filled in this office, with location papers, for warrants issued under the acts of 1847, 1850, 1852, and and 1855, which will require much labor and time to withdraw from the files and list. It is impossible to state the exact number, but it is believed to approximate 25,000.

A large number of undelivered patents remain in the local land offices and should also be included, in my judgment, in this report, to meet the full scope of the resolution.

Communications were addressed to the existing land offices in the States of Arkansas and Mississippi, requesting them to state the number of patents issued prior to 1866 remaining in their offices, and their reports state as follows:

At Jackson, Miss	55,000
At Harrison, Ark	800
At Little Rock, Ark	4,156
At Camden, Ark	7,369
At Dardanelle, Ark	29
	67,714

The total number of patents undelivered in this office and the various local offices, which were issued prior to August 20, 1866, may be stated approximately as follows:

In the General Land Office:		
Arkansas	11,409	
Mississippi	5,306	
In the files	25,000	
		41,715
In local land offices:		
Arkansas	12,714	
Mississippi	55,000	
		67,714
Total		109,429

To prepare the full list called for will require the services of seven clerks for a period of six months. This will necessitate a delay in the current work of this office.

The matter will be placed in hand, however, as soon as practicable, and should adequate addition to the clerical force be made for the ensuing fiscal year, the lists will be ready for delivery to the House of Representatives at the time of convening the next session of Congress.

Very respectfully,

W. M. STONE,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 417.

ACCOUNTS OF DISBURSING OFFICERS OF THE INTERIOR DEPARTMENT.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

INCLOSING

A communication from the Acting Commissioner of Indian Affairs, and other inclosures, in reference to the proper construction to be put upon section 3622, Revised Statutes, in relation to the rendition of accounts by disbursing officers, and recommending a modification of the same. He also strongly recommends that the inclosed draught of an item for the modification of said section be incorporated in the pending Indian appropriation bill.

JUNE 14, 1890.—Referred to the Committee on Indian Affairs.

DEPARTMENT OF THE INTERIOR,
Washington, June 13, 1890.

SIR: I have the honor to transmit herewith a communication from the Acting Commissioner of Indian Affairs, inclosing a circular issued by the Secretary of the Treasury, in which the opinion of the Attorney-General is quoted in reference to the proper construction to be placed upon section 3622, Revised Statutes, in relation to the rendition of accounts by disbursing officers. He also submits a draught of an item providing for the modification of section 3622. As it appears from the statement of the Commissioner that it would be utterly impracticable to apply the requirements of said circular to the disbursing officers of the Indian service, I strongly recommend that the inclosed draught of an item be incorporated in the pending Indian appropriation bill.

I would also recommend that the proposed modification of section 3622 be made to apply to all disbursing officers of this Department.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 11, 1890.

SIR: I have the honor to inclose herewith a circular issued by the Secretary of the Treasury, in which the opinion of the Attorney-General is quoted in reference to the proper construction to be placed upon section 3622, Revised Statutes, in relation to the rendition of accounts by disbursing officers.

Under the authority supposed to have been conferred upon the honorable Secretary of the Treasury by the section of the Revised Statutes above referred to, the period to be covered by the accounts of all disbursing agents in the Indian service was extended to three months instead of one month, and the period in which they were to be rendered from ten days to thirty days.

The Attorney-General holds, however, that under the section cited, the honorable Secretary of the Treasury has no such power, but that all disbursing officers must render their accounts *monthly*.

I respectfully submit that should the requirements of the inclosed circular be applied to the Indian service, and all agents be compelled to render their accounts monthly, instead of quarterly, as is now done, the clerical work at the agencies and in the accounts division of this office would be increased to nearly three times what it is at present, and as the clerical force at the agencies is now placed at the lowest limit consistent with the proper transaction of business, and as the force in this office is now less than the needs of the service actually demand, it would be manifestly impossible to transact such additional business without a corresponding increase in clerical force at heavy expense.

At most of the large agencies it is with the greatest difficulty that the accounts for the quarter are prepared within the succeeding thirty days; the clerks are compelled during that period to work ten, twelve, and even fourteen hours a day, and as the number of papers, etc., to be prepared for a monthly account will vary but little from those required in the quarterly account, it would necessarily require all the time of the present clerks at the agencies in the preparation of the accounts alone, leaving them no time for correspondence, keeping up the record books, and performing general office work.

The present method of rendering accounts quarterly is economical and satisfactory, and, in my opinion, is as well calculated to secure honesty of administration and prevent loss of Government funds and property as monthly accounts would be.

In view, therefore, of the foregoing facts, I respectfully recommend that proper steps be taken to secure legislation to so modify section 3622, Revised Statutes, as to allow disbursing officers in the Indian service to render their accounts quarterly instead of monthly, as has always been heretofore done.

To this end I submit herewith a draught of an item providing for the modification of section 3622, with the recommendation that it be submitted to Congress to be incorporated in the pending Indian appropriation bill, unless it be your intention to secure general legislation in regard to this matter, which not only affects the disbursing officers of this office, but also all such officers of other bureaus of the Department, and in fact all branches of the Government service.

Respectfully,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

CIRCULAR.—RENDITION OF ACCOUNTS.

[1890. Department No. 35. Division of W., E., and A.]

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., May 27, 1890.

To DISBURSING OFFICERS AND OTHERS:

The following opinion of the Attorney-General is hereby promulgated for your information and guidance:

DEPARTMENT OF JUSTICE,
Washington, D. C., May 12, 1890.

SIR: Your communication of January 27, 1890, submits for opinion three questions which have arisen in the Treasury Department upon section 3622, Revised Statutes, which section is in the following language:

"Every officer or agent of the United States who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent by mail, or otherwise, to the Bureau to which they pertain, within ten days after the expiration of each successive month, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement. Disbursing officers of the Navy shall, however, render their accounts and vouchers direct to the proper accounting officer of the Treasury. In case of the non-receipt at the Treasury, or proper Bureau, of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this section. The Secretary of the Treasury may, if in his opinion the circumstances of the case justify and require it, extend the time hereinbefore prescribed for the rendition of accounts. Nothing herein contained shall, however, be construed to restrain the heads of any of the Departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of [*Department*] [Departments], as the public interests may require."

I. The first question is in these words: "The first clause of the statute is as follows:

"'Every officer or agent of the United States who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly.'

"Does this clause require the rendition of monthly accounts by every officer or agent who receives advances of public money from the Treasury, to be disbursed under appropriations made by Congress and also by every officer or agent who collects and receives fees and revenues which he is by law required to account for and pay into the Treasury?"

This question I answer in the affirmative. I can see no reason why effect should not be given to the words of the statute according to its ordinary sense.

II. The next question is, "Does the clause in the statute, which provides that the Secretary of the Treasury may extend the time prescribed for the rendition of accounts, confer upon the Secretary authority to grant permission to any officer or agent coming within the provisions of the act to render his accounts for a longer period than a month (for example, to render quarterly instead of monthly accounts), or does said clause relate to extending the limit of ten days within which the officer or agent is required to transmit his accounts with the vouchers to the proper Bureau or Department, after the expiration of each successive month?"

The same question was passed upon by Attorney-General Devens in his opinion of December 2, 1878 (16 Opinions, 222). He said that the law requiring disbursing officers to render their accounts monthly was not subject to the discretion of the Secretary of the Treasury except in extraordinary cases, as provided, where the Secretary of the Treasury should be of opinion that the statutory period of a month should be enlarged to meet the special circumstances of such cases, such powers of the Secretary being intended to be exceptional in character and not to authorize him "to institute a new system of rendering accounts." I concur in that view and in the reasoning by which it is supported.

III. The next question is, "If the Secretary of the Treasury may lawfully authorize any officer or agent within the provisions of the statute to render his accounts for a longer period than a month (as by rendering them quarterly instead of monthly), is such authority limited to individual and exceptional cases, or may it be extended indefinitely to classes of accounts, so as to establish a system of rendering accounts continuously for longer periods than a month."

My answer to the second question, taken in connection with the opinion of Attorney-General Devens, also disposes of this question.

I have the honor to be, very respectfully, yours,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

In accordance with the requirements of the law, as construed by the Attorney-General, you are hereby instructed to render your accounts monthly, beginning with the month of July, 1890.

WILLIAM WINDOM,
Secretary.

Item.

That hereafter all disbursing officers in the Indian service are required to render their accounts quarterly, and within thirty days after the expiration of each successive quarter, and section 3622 United States Revised Statutes is hereby modified accordingly.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 418.

CLAIMS FOR ANTE BELLUM MAIL SERVICE AND CLAIMS OF FLINT AND PERE MARQUETTE RAILROAD AND PACIFIC MAIL STEAM-SHIP COMPANY.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Certain claims arising under the postal laws and regulations of Flint and Pere Marquette Railroad Company and Pacific Mail Steam-ship Company. Also a list of claims for ante bellum mail service, together with a report thereon by the Auditor of the Treasury for the Post-Office Department.

JUNE 16, 1890.—Referred to the Committee on Claims.

TREASURY DEPARTMENT, *June* 14, 1890.

SIR: I have the honor to transmit herewith, for such action as may be deemed necessary in the premises, the following claims, arising under the postal laws and regulations:

Flint and Pere Marquette Railroad Company	$14,394.68
Pacific Mail Steam-ship Company	83,333.33

I also append, for the further information of Congress, a list of claims for ante bellum mail service, together with a report thereon by the Auditor of the Treasury for the Post-Office Department, to which attention is respectfully invited. These are in addition to those included in House Ex. Doc. No. 314, of the present session.

All of these claims have been at various times reported to Congress and printed in executive documents, reference to which is made by number and date in the accompanying statements.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER HOUSE OF REPRESENTATIVES.

OFFICE OF THE AUDITOR OF THE TREASURY
FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., June 10, 1890.

SIR: With reference to the ante bellum claims included in the accompanying report, I take the liberty to invite your attention to the closing paragraph of a letter from this office, dated February 26, 1890, addressed to Hon. S. A. Whitfield, Second Assistant Postmaster-Gen-

eral, which was made a part of a report on ante bellum claims, made by the Postmaster-General, to the Senate Committee on Post-Offices and Post Roads:

In view of the fact that some of these claims were paid by the United States immediately after the orders were issued in May, 1861, suspending the service; that over $100,000 was paid under the joint resolution of Congress, approved March 2, 1867; that $564,544.22 was paid by the Confederate States Government, and that $42,061.34 was paid by the State of Arkansas, I am of the opinion that nearly, if not all, of the mail service performed in the Southern States prior to June 1, 1861, has been paid for once, and some of it twice, and that in the absence of a complete record of payments made for said service by the Confederate States Government, it would be unsafe to make further payments.

Respectfully,

T. B. COULTER,
Auditor.

Hon. WILLIAM WINDOM,
Secretary of the Treasury, Washington, D. C.

Estimates for the payment of claims received and examined by the Sixth Auditor of the Treasury for the Post-Office Department, under section 4 of the act of June 14, 1878, payable from appropriations the balances of which have been exhausted or carried to the surplus fund under section 5 of the act of June 20, 1874, and of claims reported under section 2 of the deficiency act of July 7, 1884.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
6800	Flint and Pere Marquette R. R. Co., route 24015, Michigan. For additional transportation per order of the Postmaster-General, No. 621, dated January 22, 1886, rescinding order of December 4, 1876, No. 6480, as modified by order of March 30, 1877, No. 1481, and rescinding order of July 27, 1878, No. 5926.	Deficiency in postal revenues, 1887 and prior years.	.....	
	From July 1, 1876, to June 30, 1877, at $1,150.26 per quarter.	.....do	1877	$4,601.04
	From July 1, 1877, to June 30, 1878, at $1,150.26 per quarter.	.....do	1878	4,601.04
	From July 1, 1878, to June 30, 1879, at $1,298.15 per quarter.	.....do	1879	5,192.60
				14,394.68
	NOTE.—Reported H. Ex. Doc., No. 70, Forty-ninth Congress, first session; No. 377, Fiftieth Congress, first session.			
78	Pacific Mail Steam-ship Company, for transportation of the mails from San Francisco to Japan and China, two round trips, as certified by the Postmaster-General. Departures, November, and December 2, 1876. Arrivals, January 20, and February 10, 1877.	.....do	1877	83,333.33
				97,728.01
	NOTE.—Reported. H. E. Doc. No. 26, Forty-seventh Congress, first session; No. 45, Forty-seventh Congress, second session: No. 30, Forty-sixth Congress, third session.			
	ANTEBELLUM CLAIMS.			
	Espy & Ridge, mail contractors, routes, 8578 and 8663 Texas. For collection drafts Nos. 2602, 2603, 2604, and 2605, dated August 29, 1861, issued in settlement of account for the period from April to May 31, 1861, returned unpaid and canceled.	.....do	1861	218.00
	NOTE—Reported before in House Ex. Doc. No. 202, Forty-seventh Congress, first session, but not appropriated for.			

Estimates for the payment of claims received and examined, etc.—Continued.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
6799	William Bradfield, mail contractor. Route, 8724, Texas. For transportation from January 1 to March 31, 1861 .....$2,600.00 Less amount paid J. S. and E. A. Abbott, assignees, by drafts Nos. 361, 362, 363, and 364 dated July 3, 1861, $1,427.00. Less amount collected from postmasters on the route, 216,78. $1,642,78. NOTE.—Reported. Ex. Doc. No. 70, Forty-ninth Congress, first session.	Deficiency in postal revenues, 1887 and prior years.	1861	$956.22
6789	T. H B. Wallier, mail contractor, route 9712, Kentucky. For recognized service from August 6 to September 22, 1861, at $130 per annum, per order of the Postmaster-General, dated October 3, 1870. NOTE.—Reported H. Ex. Doc. No. 70, Forty-ninth Congress, first session.	.....do	1862	1,696.00
8646	John Grant, mail contractor, route 8157. Louisiana. For transportation from January 1 to March 31, 1861, at $2,500 per annum ..... $625.00 Less amount collected from the postmaster on the route .... 69.08 NOTE.—Reported. H. Ex. Doc. No. 32, Fiftieth Congress, first session.	.....do	1861	555.92
9495	William H. Moore, mail contractor, route 10703, Arizona. For recognized service from July 1 to September 30, 1860, at the rate of $373 per annum, per order of the Postmaster-General, No. 14563, dated September 16, 1884. NOTE.—Reported. H. Ex. Doc. No. 32, Fiftieth Congress, first session.	.....do	1861	93.25
73	Southern Steam-ship Company, mail contractor, route 8501, Texas. For one month's extra pay, per order of Postmaster-General, dated December 2, 1879,, modifying order of May 20, 1861, discontinuing service. NOTE.—Reported H. Ex. Doc. No. 30, Forty-sixth Congress, third session; No. 26, Forty-seventh Congress, first session.	.....do	1861	4,583.33
75	C. B. Payne, mail contractor, route, 8503 and 8594, Texas. For one month's extra pay, per order of Postmaster-General, dated December 2, 1879, modifying order of May 20, 1861, discontinuing service. NOTE.—Reported. H. Ex. Doc. No. 30, Forty-sixth Congress, third session; No. 26, Forty-seventh Congress, first session.	.....do	1861	7,509.00
76	Memphis and New Orleans Steam Packet Company, mail contractor, routes 8167 and 8168, Louisiana. For one month's extra pay, per order of Postmaster-General, dated December 1, 1879, modifying order of May 20, 1861, discontinuing service. NOTE.—Reported. H. Ex. Doc. No. 30, Forty-sixth Congress, third session; No. 26, Forty-seventh Congress, first session.	.....do	1861	3,538.59
6788	T. C. Holmes and T. P. Leathers, late mail contractors, route 8165, Louisiana. For transportation from April 1, to May 31, 1861. NOTE—This claim was reported in House Executive Document No 70, Forty-ninth Congress First session and not allowed. It was also reported in H.R. No. 9861, and is now before the Committee on Claims, an explanation of the same was made in our letter to the Hon. J. W. Ray, chairman of the subcommittee on Claims dated May 27, 1890.	.....do	1861	6,703.30

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 419.

DEFICIENCY APPROPRIATION FOR ARMY AND NAVY PENSIONS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of the Interior submitting an estimate of deficiency in the appropriations for Army and Navy pensions for the current fiscal year, and urging immediate action thereon.

JUNE 16, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *June* 14, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior of the 12th instant, submitting an estimate of deficiency in the appropriation for Army and Navy pensions for the current fiscal year of $3,708,898.35, and urging the immediate consideration of Congress thereon.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, June 12, 1890.

SIR: I have the honor to transmit herewith an estimate of deficiency in the appropriation for Army and Navy pensions for the current fiscal year, amounting to $3,708,898.35, and would urge the favorable consideration of Congress thereon at the earliest moment practicable.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., June 12, 1890.

SIR: In consequence of the increased work of the office, whereby a much larger number of claims were allowed since the 1st of January than during the preceding months of the fiscal year, there will be a deficiency in the appropriation for the current fiscal year of $3,708,898.35.

I hand you herewith a memorandum, which will show the course of the payments during the past three quarters of the fiscal year and up to June 7 of the present quarter.

Very respectfully, your obedient servant,

GREEN B. RAUM,
Commissioner.

The SECRETARY OF THE INTERIOR.

MEMORANDUM OF ARMY PENSIONS, 1890.

Appropriated by act of March 1, 1889		$80,473,000.00
Appropriated by act of April 4, 1890		21,598,834.00
Total available		102,071,834.00
Set aside for Navy pensions		2,000,000.00
Available for Army pensions		100,071,834.00

Amounts disbursed by months during 1890 *for Army pensions.*

July	$7,667,459.09	
August	3,428,287.30	
September	17,429,373.82	
Quarter ending September 30, 1889		$28,525,120.21
October	3,324,206.54	
November	2,464,724.32	
December	17,837,047.78	
Quarter ending December 31, 1889		23,625,978.64
January	3,313,553.78	
February	2,423,088.70	
March	18,447,906.80	
Quarter ending March 31, 1890		24,184,549.28
April	4,236,222.65	
May (approximate)	4,110,954.77	
To June 7	6,812,203.27	
Amount expended during fourth quarter to June 7, 1890		15,159,380.69
Amount expended to June 7, 1890		91,495,028.82
Amount available for payments from June 7, 1890, to June 30, 1890		8,576,805.18
Amount expended during December, 1889		17,837,047.78
Amount expended during September, 1889		17,429,373.82
Excess of payment in December over September		407,673.96
Amount expended during March, 1890		18,447,906.80
Amount expended in December, 1889		17,837,047.78
Excess of payments in March over December		610,959.02

Amount expended in March, 1890	$18,447,906.80
Estimated additional expenditure in June, 1890	650,000.00
	19,097,906.80
Amount expended from June 1 to June 7, 1890	6,812,203.27
Amount necessary to complete payments to June 30, 1890	12,285,703.53
Amount available June 7, 1890	8,576,805.18
Estimated deficiency	3,708,898.35
Amount expended in January, 1890	3,313,553.78
Amount expended in February, 1890	2,423,088.70
Total for January and February, 1890	5,736,642.48
Amount expended in April, 1890	4,236,222.65
Amount expended in May, 1890	4,110,954.77
Total for April and May, 1890	8,347,177.42
Total for January and February, 1890	5,736,642.48
Excess of total for April and May over total for January and February, 1890	2,610,534.94

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, by the Bureau of Pensions, Department of the Interior.

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year, ending June 30, 1890.
For Army and Navy pensions:		
For invalids, widows, minor children, and dependent relatives; survivors, and widows of the wars of 1812 and with Mexico	$3,708,898.35	$102,071,834

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 420.

LANDING EMIGRANTS IN VIOLATION OF CONTRACT-LABOR LAWS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

INCLOSING

A letter from the collector of the port of New York, and certain other papers, in reply to the resolution of the House of Representatives inquiring into the action of the Cunard Steamship Company refusing to obey the order of the officers of the United States to give return-passage to certain emigrants landed at New York by said company in violation of the contract-labor laws; and also looking to a thorough enforcement by the Department of the laws prohibiting the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States.

JUNE 19, 1890.—Referred to the Committee on Foreign Affairs.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., June 18, 1890.

SIR: I have the honor to acknowledge the receipt of the resolution of the House of Representatives inquiring—

Whether it is true that the Cunard Steam-ship Company, on Saturday, June 7, 1890, refused to obey the orders of the officers of the United States to give return passage to certain immigrants landed at New York by said company in violation of the contract-labor laws of the United States; and if so, what steps, if any, have been taken to refuse entry to steam-ships of said company until said company has complied with the laws of the United States and made reparation for their refusal to obey the orders of the officers thereof.

Responding to said resolution I herewith lay before you a letter from the collector of the port of New York, together with the inclosures therein referred to. Also a letter addressed to me by Mr. Brown, the New York agent of the Cunard Steam-ship Company.

I desire further to say, that I have under under consideration the expediency of referring the action of the captain of the steamer *Umbria* to the United States district attorney for the southern district of New York for such action under section 4 of the act of February 26, 1885, in the nature of criminal proceedings, as may seem to him proper under the circumstances; and I contemplate such further action on the part of this Department as may be admissible under the provisions of the

statute, looking to a thorough enforcement of the laws prohibiting the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States.

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, June 12, 1890.

SIR: I am in receipt of your telegram of this date, stating that you desire a full and early report of the facts and circumstances in regard to the reported refusal of the Cunard Steam-ship Company, or the captain of the *Umbria*, to return seven Belgian glass-blowers, not permitted to land, under the alien contract-labor law.

I transmit herewith copies of all the correspondence on file in this office bearing on the subject, to wit:

Exhibit A. Letter of John B. Weber, superintendent of immigration, adjudging seven passengers, per steam-ship *Umbria*, to have come in violation of the alien contract-labor law;

Exhibit B. My letter to Superintendent Weber, barring said immigrants from landing;

Exhibit C. My letter to the surveyor, directing him to prevent the landing of said immigrants;

Exhibit D. My letter to the surveyor, directing the detail of one inspector and two night inspectors to Superintendent Weber, to prevent the landing of said immigrants.

Exhibit E. Report of Inspectors James R. Coulter and Thomas Kenny to Surveyor Lyon as to the facts connected with the placing of said immigrants on the steam-ship *Umbria* for deportation whence they came.

Exhibit F. My letter to the surveyor directing the transfer of said immigrants to the steam-ship *Wisconsin;* and

Exhibit G. Letter of Superintendent Weber, reporting in full as to the facts in regard to said immigrants.

The facts in the matter which appear fully in the accompanying inclosures are, in brief, as follows:

On the 6th instant Superintendent Weber reported to me that Leon Jaye, August Quintif, Emile Dourlet, Julian Bernier, Olivier Bertrand, Victor Quintif, and August Quintif, sr., alien passengers per steam-ship *Umbria*, arrived the 1st instant, came in violation of the alien contract-labor law. Immediately on receipt of this letter at 1 o'clock p. m. an examination was made of the circumstances in the matter, and at 2.30 o'clock p. m., on the 6th instant, I answered Superintendent Weber, deciding that said persons should not be permitted to land. On the same day and hour I instructed the surveyor to prevent the landing of said persons.

From the facts which have come to my knowledge through the reports of the superintendent of immigration and the explanations of the officers of the steam-ship company, I understand that said passengers were, on the afternoon of the 6th instant, placed on board the steam-ship *Umbria*, and the officers in charge notified that they must be returned to the country whence they came.

It is reported that at 8 o'clock, on the following day, June7th, Superintendent Watson, of the Cunard Line, informed the officers in charge that there was no accomodations on board the *Umbria* for the said passengers, and that the company intended to land them. The superintendent was informed by the officers that their orders were imperative and that they intended to obey them. The superintendent declared that the ship would not leave the pier until these persons had been landed, and that they would, in any event, take them from the vessel "down the bay" and land them at the barge office. It is further reported that Mr. Vernon H. Brown, the agent of the company, requested the officers to allow said passengers to be landed, and that, when this request was refused, he said he would land them, "collector or no collector;" that after all the gangways had been removed Mr. Brown ordered his employés to replace one of them, to allow the said passengers to land; that five of them were leaving the vessel, when the officers ascended the gangway and forced them back, and that finally the ship sailed from this port at about 9 o'clock a. m. with the said passengers on board.

Shortly after the men were brought to the barge office on a tug, accompanied by an agent of the Cunard Company, who requested Superintendent Weber to receive them, to which request the superintendent declined to accede.

The agent of the company called at this office later in the day and produced the notification sent the company that said passengers would not be permitted to land, and the envelope containing the same, which envelope, he stated, bore post-mark of having been stamped at 4.30 p. m., whereas the last personal delivery of that day was 4 p. m., and he further stated that he did not receive the notification until after the steam-ship had sailed, and, therefore, claims that he had not received, in due time, that official notice in the matter, to which he was entitled under the regulations.

He further stated that the *Umbria* had brought over steerage passengers, but that, as is customary at this season of the year, the steerage on the return trip is converted into a second cabin, and that every cabin was filled, including both the first and second cabins, and the captain and officers' quarters were, for the trip, sold to passengers, so that there was no room on the vessel for the said seven immigrants.

Mr. Brown agreed to assume the expense of taking care of said immigrants, and later in the day they were placed on Ellis Island, at the expense of the Cunard Company, and inspectors were detailed to prevent their landing.

On the 10th instant they were returned to Europe on the steam-ship *Wisconsin*, at the expense of the Cunard Steam-ship Company.

Respectfully yours,

JOEL B. ERHARDT,
Collector.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

EXHIBIT A.

OFFICE OF UNITED STATES SUPERINTENDENT OF IMMIGRATION,
Barge Office, New York, June 6, 1890.

SIR: I have to report to you the cases of August Quintif, Leon Jaye, Emile Dourlet, Julien Bernier, Olivier Bertrand and Victor Quintif and August Quintif, sr., alien passengers per steam-ship *Umbria*, June 1, 1890, and adjudged to have come here in violation of the contract labor law.

I inclose the affidavits of each of these men and the affidavits of Jules Genin, George L. Cake, Nicholas Quintif, John Wescoat, George J. Wescoat, William Button, sr., William Fronse, William H. Palmer, Jacob Hackett and Albert J. Albertson, and certain correspondence in addition thereto. I also inclose copy of newspaper published in Bruxelles, Belgium, with translation of an advertisement therein, and marked.

Respectfully yours,

JOHN B. WEBER,
Superintendent of Immigration.

Hon. JOEL B. ERHARDT, *Collector.*

EXHIBIT B.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, June 6, 1890.

SIR: I am in receipt of your letter of even date, adjudging Leon Jaye, August Quintif, Emile Dourlet, Julien Bernier, Olivier Bertrand, Victor Quintif, and August Quintif, sr., alien passengers per steam-ship *Umbria*, arrived the first instant, to have come here in violation of the alien contract labor law, and inclosing their affidavits and certain other affidavits, etc., bearing on their case.

I decide that said persons shall not be permitted to land, and have so instructed the surveyor.

Respectfully yours,

JOEL B. ERHARDT,
Collector.

J. B. WEBER, Esq.,
Superintendent of Immigration, Barge Office, New York.

EXHIBIT C.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, June 6, 1890.

SIR: You will please prevent the landing of the following-named alien passengers, who arrived per steam-ship *Umbria* on the 1st instant: Leon Jaye, Julien Bernier, Olivier Bertrand, Emile Dourlet, Victor Quintif, August Quintif, jr., and August Quintif, sr.

Respectfully yours,

JOEL B. ERHARDT,
Collector.

GEORGE W. LYON, Esq.,
Surveyor of the port.

EXHIBIT D.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, June 7, 1890.

SIR: Upon receipt of this communication you will please detail one day inspector and two night inspectors to Superintendent Webér, superintendent of immigration, for the purpose of preventing the landing of certain immigrants per steam-ship *Umbria.*

When their work is completed they will report back to you for duty.

Respectfully yours,

JOEL B. ERHARDT,
Collector.

GEORGE W. LYON, Esq., *Surveyor.*

EXHIBIT E.

CUSTOM-HOUSE, NEW YORK CITY,
Surveyor's Office, June 7, 1890.

SIR: In compliance with the order of the collector, dated June 6, and attached hereto, we were detailed to prevent the landing of certain alien passengers named therein.

We relieved the night inspectors in charge at 7 o'clock a. m. to-day. At about 8 o'clock we were approached by Superintendent Watson of the Cunard Line, who informed us that there were no accommodations on the vessel for said passengers and that they intended to land them. We told him that our orders to prevent their landing were imperative, and we intended to obey them. Superintendent Watson declared that the ship would not leave her pier until those parties had been landed, and that they would in any event, take them from the vessel "down the bay" and land them at the barge office.

Vernon H. Brown, the agent for said Cunard Line, requested us to allow the said passengers to land, and when we refused to comply with his wishes and told him that the collector's orders were imperative, he said he would land them, "collector or no collector."

After all the gangways had been removed, Mr. Brown ordered his employés to replace one of them, and allow the said passengers to land. Five of them were leaving the vessel, when we ascended the gangway and forced them back.

The ship finally sailed at about 9 o'clock, a. m., with the said passengers on board.

Respectfully submitted.

JAMES R. COULTER,
THOMAS KENNY,
Inspectors.

Hon. G. W. LYON, *Surveyor of the Port.*

Letter indorsed: "Respectfully forwarded to the collector for his information. June 9, 1890. G. W. Lyon, Surveyor."

EXHIBIT F.

CUSTOM-HOUSE, NEW YORK CITY,
Collector's Office, June 9, 1890.

SIR: You will cause to be placed on board the outgoing steam-ship *Wiscousin* the seven alien immigrants who arrived at this port per steam-ship *Umbria*, and were barred from landing on the 6th instant as contract laborers. Their names are: Julien Bernier, Olivier Bertrand, Emile Dourlet, Victor Quintif, August Quintif, sr., and August Quintif, jr.

Respectfully, yours,

JOEL B. ERHARDT,
Collector.

GEO. W. LYON, Esq.,
Surveyor of the Port.

EXHIBIT G.

OFFICE OF THE UNITED STATES SUPERINTENDENT OF IMMIGRATION,
Barge Office, New York, June 12, 1890.

SIR: Replying to your letter of this date, just received, asking for a statement of the facts connected with the barring of the glass-blowers who recently arrived per steam-ship *Umbria*, together with copies of such letters as we may have in our possession, showing the action of the steam-ship company or its agents in connection with the case, I have to say that all of the papers were forwarded to you on the 6th instant. These people arrived here on the *Umbria* June 1, and were held here for some days pending the procurement of additional evidence, to obtain which I sent one of the immigrant inspectors connected with this institution to Glassboro, N. J.

As soon as this came to hand all of the papers were sent to you with a statement that the seven persons in question were "adjudged to have come here in violation of the contract labor law." Upon receipt of your decision barring them, they were turned over to the surveyor's officers, and our charge of them ceased.

These papers were submitted to you, your order barring them was received, and notice mailed to the steam-ship company some time between 1.30 and 4.00 p. m. of the 6th instant. The agent of the steam-ship company claims to have received his notice by mail the following morning, but the captain of the steam-ship company undoubtedly received a notification the afternoon before when the men were taken to the ship for deportation.

On the next morning (June 7) these men were brought to the barge office on a tug, by the company's agent, with a request to receive them, to which I declined to accede, saying that my official connection ceased upon their transfer to the surveyor's officers

in accordance with your decision and order. Subsequently I was called upon by Deputy Collector Phelps, and Mr. Ward, for the steam-ship company, and asked if I had any objection to permitting the use of one of the buildings on Ellis Island for the temporary detention of these men, under the charge of the surveyor's officers, and expenses of the proceeding to be borne by the steam-ship people.

It is claimed there is some doubt as to the authority of the steam-ship agents to hold detained immigrants, and that, therefore, it was necessary to have duly authorized officers of the Government to detain immigrants prohibited from landing. These men were held at Ellis Island until Tuesday, the 10th instant, when, as I am informed, they were returned by the steam-ship *Wisconsin*.

Respectfully, yours,

JOHN B. WEBER,
Superintendent of Immigration.

Hon. JOEL B. ERHARDT, *Collector.*

CUNARD STEAM-SHIP COMPANY,
New York, June 11, 1890.

SIR: I learn from the Washington correspondence of the New York papers that a resolution has been introduced in Congress requiring you to inform the House whether the Cunard Steam-ship Company had refused to obey the orders of the United States officers relative to the return by the steam-ship *Umbria* of certain passengers alleged to have been landed at New York in violation of the so-called "contract labor" law.

In view of the introduction of that resolution I deem it a duty to myself, as well as to the Cunard Company, to make the following statement of facts:

So far as the company and Captain McKay, of the *Umbria*, are concerned, permit me to say that they are in no wise responsible for the course that was pursued with regard to these particular passengers. Captain McKay, in whatever he did, acted under my orders and subject to my direction as his superior in the premises.

Although agent for the Cunard Steam-ship Company, I am a citizen of the United States, and take as deep an interest in the enforcement of its laws and in upholding the integrity and honor of the nation as any other citizen who is impressed, as I am, with his absolute duty to be at all times not only law-abiding, but determined to give assistance to the officers of the law in the enforcement of that law, whatever it may be. The facts, briefly stated, are these:

I ascertained at 7 o'clock on Saturday morning, the 7th instant, that seven alleged contract labor passengers, with their families, had been put aboard the *Umbria* at New York, on the evening of the 6th, under charge of customs officers, with the demand that such passengers should be returned to Liverpool by that steamer. No notice whatever had been given either to the captain, or to me as agent, of the Cunard Steam-ship Company, previous to the placing of said passengers and their families on board. In the absence of any such notice no provision had been made for the accommodation of such persons, and under existing circumstances it was at that time impossible to make any. The ship had no steerage accommodations whatever, which fact had been advertised for sixty days in advance of her sailing date. Every available room in the ship had been sold, and if these people were to be carried it must be on deck, where they would be exposed for seven or eight days to the vicissitudes of the weather. The ship was advertised to sail at 8.30 of the morning following the night these passengers were put on board. Between the time the passengers were put on board and the hour for sailing it was impossible for me to communicate with the collector of customs at this port or the commissioner of emigration. I especially call your attention to the fact that the passengers were put on board after official business hours were ended on the 6th, and before official business hours commenced on the 7th. These facts I personally explained to the United States officers in charge of the passengers, and notified them that in event of their preventing these people from relanding at the dock I should be compelled to reland them from a tug before the ship sailed; the officers threatening that if any attempt were made to reland the passengers from the ship while lying alongside the wharf they would prevent it by force.

I furthermore stated that under no circumstances was the ship to sail until the passengers had been relanded, and the ship did not sail until after that had been accomplished. I also informed the officers that it would be dangerous to disembark the women and children from the steamer to the tug, whereupon the women and children were relanded at the wharf without any further protest from the officers, the men remaining on board. I then directed Captain McKay to move his ship into the river and lie there until the tug should come alongside and take off the passengers, which was done, after which the ship sailed. I immediately called upon Collector Erhardt and Commissioner Weber and explained to them the facts. The collector received me courteously, listened attentively, and was apparently satisfied with my explanation.

The only question which appeared to remain for discussion was as to the custody of the passengers pending their being returned under the statute. I claimed that whatever might be the powers of the United States officers, the Cunard Steam-ship Company had no right to restrain them of their liberty. Whereupon it was arranged that the men were to be held at Ellis Island in custody of the officers until they should be returned to Liverpool, the Cunard Steam-ship Company making the necessary provision for their maintenance while there.

Two days later, at the expense of the Cunard Company, the passengers were put on board the Guion steam-ship *Wisconsin*, and sailed for Liverpool, the collector having issued the necessary permit. This I believed at the time, and still believe, was all that the law required. There never was any intention on my part to violate either the letter or spirit of the law, and I fail to see that there has been in fact any violation in the present case.

If I may be permitted, let me call your attention to the phraseology of the statute. It is as follows: "The expenses of such return of the aforesaid persons not permitted to land, shall be borne by the owners of the vessel in which they came."

With regard to this particular provision, as I understand it, these passengers were never technically landed, and that so far as the expense is concerned, that expense has been born by the Cunard Steam-ship Company.

The next provision of the statute is as folllows: "The vessel refusing to pay such expense shall not thereafter be permitted to land at or clear from any port of the United States, and such expense shall be a lien on said vessel."

With regard to this, I beg to say that no officer or representative of the Cunard Steam-ship Company has ever refused to pay such expenses, and that it is the desire of the Cunard Steam-ship Company, as well as my own purpose as a citizen, to at all times conform both to the letter and spirit of the law.

I have necessarily been obliged to inform myself as to the legal meaning and purport of this statute, and have been so informed from the time of its passage. I am advised by counsel that the statute does not require that such passengers should be returned by any particular ship, but simply that they should be returned, and at the expense of the vessel bringing them. This has been done in the present case.

It is apparent that circumstances may arise which would make it physically impossible to return passengers by the same ship, as in the present case, and that under such circumstances the best that can be done is to return them at the earliest possible date thereafter; and that such return at such later date is an injury to no one, provided the object of the law is accomplished, viz—that the passengers are returned, and that the Government is put to no expense whatever in the premises.

It might have been possible, had I been informed at a proper time, to have provided for these passengers; but I was not so notified. As a matter of fact, the official notice was not received by me until after the ship had actually sailed.

I now respectfully submit the foregoing statement, and request that in event of the passage of such resolution, and your rendering a report to the House, in conformity with its terms, that I may have the opportunity of being heard and producing my witnesses before such report is sent in.

I have the honor to remain, your obedient servant,

VERNON H. BROWN.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 421.

COMPENSATION OF UNITED STATES MARSHALS FOR SERVICES IN OKLAHOMA TERRITORY.

LETTER

FROM

THE ATTORNEY-GENERAL,

INCLOSING

Copy of a letter from W. P. Hackney, of Guthrie, Oklahoma Territory, and copies of various other letters and petitions, also certificates of United States Marshals Jones and Walker, of Kansas, to the services performed by their deputies as police officers for the people of the Territory; and asking that suitable remuneration be made them by Congress.

JUNE 20, 1890.—Referred to the Committee on Appropriations.

DEPARTMENT OF JUSTICE,
Washington, D. C., June 19, 1890.

SIR: On the 12th instant the President referred to this Department a letter of the 6th instant from W. P. Hackney, of Guthrie, Oklahoma, a copy of which is herewith inclosed, together with copies of letters forwarded by him of commanding officers at Oklahoma and Guthrie, of petitions of the citizens, and of certificates of United States Marshals Jones and Walker, of Kansas, to the services performed by their deputies as police officers for the people of the Territory, which services were performed without compensation, but for which he thinks that suitable remuneration should be made by Congress.

In compliance with his request they are referred to Congress for action.

Respectfully,

W. H. H. MILLER,
Attorney-General.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GUTHRIE, OKLAHOMA, *June* 6, 1890.

DEAR SIR: I inclose herewith petitions of the citizens of Oklahoma, and letters of commanding officers at Oklahoma City and Guthrie, and certificates of United States Marshal Jones and United States Marshal Walker of services performed by their deputies therein named as police

officers for the people of this territory, which services were performed without compensation, asking that suitable remuneration be made to them by Congress.

I have to request that you refer with your indorsement the same to the proper committee in Congress, to the end that these men may be properly compensated for the arduous duties performed by them in the preservation of peace and good order among the people of this territory. They deserve well of their country, and ought to be paid therefor. Be kind enough to acknowledge receipt of this, with the information as to whom and when they are referred, and oblige.

Very respectfully, your obedient servant,

W. P. HACKNEY.

The PRESIDENT,
Washington, D. C.

To the President of the United States, and to the members of the Senate and the House of Representatives thereof, greeting:

We, the undersigned citizens of the territory known and called Oklahoma, who have resided here since April 22, 1889, know something of the difficulties and dangers which attended the opening of such territory—an epoch, as it were, in the history of the people of this nation. When it is remembered that 2,000 000 acres of a wilderness was occupied by 90,000 people in a day, and without laws, courts, or officers, except such as the Federal authorities gave us, maintained peace and good order without bloodshed, such people, we believe, deserve great consideration at the hands of the legislative and executive departments of our Government. And when the untold conflicting interests of all are considered, statesmen may well inquire how such a state of affairs were secured and maintained. And to such we take pleasure in perpetuating the record of duties performed and unceasing vigilance maintained on the part of the deputy United States marshals doing duty in the territory, whose presence at all times were and have been a tower of strength to the law-abiding portion of our people.

We are not unmindful of the fact that it has been popular to visit upon these unprotected officials malevolent criticism of the severest kind; and yet they have successfully dealt with the worst class of men that ever cursed civilization—the political offal of every community in the nation. These officers, taking their lives in their hands, have faced death at all times and under all circumstances for our peace and comfort, and this without compensation of any kind therefor, there being no law providing for such. Thus they have, in season and out, stood between the lawless and the venal on the one hand and the law-abiding and honest citizens on the other hand. These officers, with ill-defined authority, having only the good of all at heart, have been unceasing in their efforts to maintain order among us, and for that purpose have acted as our police officers, notwithstanding the fact that under the law of the nation no such responsibilities rested upon them. And now, that we are about to have a government and laws, courts, and officers of our own, it seems to us but just and fair that Congress make provision by law for the payment of these men out of an overflowing national treasury; this upon that principle of justice and equity "that the laborer is worthy of his hire." Their names will be furnished you by the United States marshal of Kansas and the Indian Territory, and we beg of you a favorable consideration of their claims to the end that suitable remuneration be made them therefor.

This is no idle petition gotten up for mere buncombe, but it is a petition of business men and honorable citizens who appreciate their services in our behalf and who believe that you should make some reparation to these men who have been so viciously maligned and misrepresented both in Congress and out. It may be that here and there deputy marshals can be found who placed their own construction upon the laws of the United States and sought to occupy a portion of the public domain in violation thereof. Yet their acts are no justification for appropriating the services of these men without compensation.

John D. Miles, Lisbon mayor; W. A. Wilson, mayor of Kingfisher; J. O. Allming, receiver United States land office; J. C. Robberts, Ry. United States land office; Fred S. Rogers, United States commissioner; L. P. Hudson, attorney at law; J. W. McLoud, attorney at law; C. P. R. Brownlee, attorney at law; T. P. Crosthwait, attorney at law; N. Campbell, attorney at law; Virgil M. Hobbs, attorney

at law; R. A. Lyle, attorney at law; Chester Howe, attorney at law; J. W. Morris, attorney at law; W. W. Voffsinger, attorney at law; W. E. Earl, attorney at law; Wm. Callahan, cigars; Theo. Roberts, Rock Island Hotel; J. W. Mitts (came in on the 24th), postmaster; H. P. Smith, merchant; Prier P. Smith, merchant; J. C. Post, banker; Paul Jones, attorney at law; James A. Maris, attorney; Norris Sprigg, attorney at law; James E. Burns, city clerk of Lisbon from April 22 to November 15; C. P. Hickmiller, pioneer druggist; W. H. Dollham, Kingfisher; Adams & Ross, feed and flour; L. H. Noel, druggist; H. C. St. John, attorney at law; Henry Corlett, grocer, feed; B. F. Webb, physician and surgeon; T. C. Hobson, feed-barn; J. A. Bright, physician and druggist; W. H. Schick, clothier.

Leroy Guthrie, city attorney; W. C. Jones, ex-United States marshal; John A. Blackburn, city recorder; W. L. Couch, ex-mayor; Sidney Clarke, president city council; J. E. Jones, city council; James Guarg, president City Bank; L. O. Gilbert, City Bank; A. S. Welsh, City Bank, J. P. Baile, Oklahoma Bank; G. B. Farrar, Oklahoma Bank; J. T. Hickey; William A. Munro, United States commissioner; J. P. Luce, G. A. Beidler, postmaster; C. W. Routh, Frank McMaster, East Guthrie; Cy. Leonard, real estate; B. H. Miller, L. O. Williams, F. M. Josslan, M. D., Carey & Johnson, Moses Neal, George A. Soule, Palace Clothing House, Wand, Amkur Company, wholesale and retail druggists; R. J. Coons & Co., druggists: Gerson & Bros., clothing merchants; J. W. Baleo, H. H. Lechner, C. B. Emerson, George W. Lemoyne, Curtis L. Wagner, John W. Ellis, N. N. Miller, C. H. Frost, J. H. Bacon, Henry Story, A. J. Beal, mayor Oklahoma City; A. B. Hammer, present recording clerk; Charles Chamberlin, city engineer.

W. M. Alljson, United States circuit court commissioner; C. M. Bames, receiver public moneys Guthrie land office; G. A. Sears, United States deputy revenue collector; W. A. Thomas, banker; J. W. McNeal, banker; W. S. Robertson, United States circuit court commissioner; J. M. Ragsdall, banker; Linus S. Webb, attorney; Charles Smith, M. D.; J. C. Nofins, attorney; A. M. McElhinney, druggist; P. J. Carmand, attorney at law; A. C. Schnell, real estate agent; S. B. Bevans, land agent and attorney; Charles A. Berger, attorney at law; W. P. Meadows, attorney at law; John O. Delle, register; Harper J. Cunningham, attorney at law; Gray Bros., grocers; John H. Catteral, attorney at law; A. J. Spengel, furniture; C. V. Monnt, jeweler; W. P. Thoryeson; S. P. Gibbs, D. D. S.; Ed. New; Fred. A. High, boots and shoes; E. E. Lauck; A. N. J. Crook; L. R. Delaney, attorney at law; Agent A. F. & S. F. R. R. Company; Volney Hoggatt, attorney; L. I. Beland, Sbr. Yht; John M. Galloway; Y. F. Freeman; Charles Brown; Frank C. O'Neel; T. J. Lowe; S. G. Hunn, agent Wells-Fargo Express; Harry Ruffner, stationer, clerk upper court; William A. Ragsden; C. W. White, jeweler; D. L. Melone & Brother, clothing and dry goods; Jomes Dooley, Mayor of Guthrie, Ind. T.; Thurston & Metteck, attorneys of Guthrie, Ind. T.; Kaylor & McDonald, general merchandise; A. W. Bennett, grocer; Salmon & Nicholson, grocers; Frank H. Greer, editor Oklahoma Capital; Randall & Lyon, hardware.

P. C. Cowling, creamery; J. A. Mann, dry goods, clothing, etc.; James Welton, jeweler; John C. Tutt, merchant; T. E. Tribbly, physician; O. D. Halsell, livery; J. W. McKinney, merchant; Ingram & Renfro, druggists; W. T. Willis, attorney; E. G. Willikan, real estate agent; J. M. Walters, merchant tailor; J. E. Urban, real estate agent; Baldwin & Nix, grocers; Thomas S. Jones, judge, appellate court; (Rev.) William F. King, Presbyterian church; D. Stevens, M. D.; Bradley & Randall, attorneys; Winfield S. Smith, attorney at law, Guthrie, Ind. T.; Emery A. Foster, attorney; C. A. Markland, attorney at law; John Golobie, attorney; Fred. M. Elkin; C. B. Freeman, attorney at law; T. A. Stockslager, mayor, East Guthrie; Allen Caruthers, attorney at law; Ball Bros., grocers; L. R. Ketchum, M. D.; Wm. Bluicoe, lumber; A. H. Waite, dry goods; George Kendall; H. D. Ware; T. W. Ryan, meat market; C. F. Smith, hotel; J. W. Johnson, attorney; Ed. McNulty, duggist; Ponnert Hinkle, grocer; Wm. Plag, hardware; J. C. Jamison; D. B. Kelley, druggist; Baxter & Cammock, liverymen; Holman Bros., San Francisco Restaurant; Rhoads Bros., cigar dealers; George R. Strode, jeweler; Harry P. Clark, city treasurer, Guthrie, Ind. T.; William Sexaner Baker; Joseph Mitschler, meat market; J. R. Myrn; Siemer & Co., grocers.

CAMP AT OKLAHOMA, IND. T., *April* 12, 1890.

SIR: Referring to petition of officials and citizens of Oklahoma, I desire to state that the United States deputy marshals in this country, with some few exceptions, have performed their duty in a faithful, prompt, and energetic manner. They have been compelled by the situation here to do many acts that under other circumstances would not properly come under their jurisdiction, but which were absolutely necessary for the protection of property and preservation of life. They have in fact been compelled to, in many cases, take the place of ordinary policemen in the absence of any such.

Their duties have been dangerous and extremely difficult, constantly, and in the great majority of cases without any reward or remuneration whatever.

I therefore respectfully recommend that special authority be granted to pay all worthy deputies a per diem compensation while employed in this Territory.

Very respectfully, your obedient servant,

D. F. STITES,
Captain, Tenth Infantry, Commanding.

Hon. W. H. H. MILLER,
Attorney-General, Washington, D. C.

CAMP AT GUTHRIE, IND. T.,
April ——, 1890.

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Their duties have been dangerous and extremely difficult, constantly, and in the great majority of cases without any reward or remuneration whatever.

I therefore respectfully recommend that special authority be granted to pay all worthy deputies a per diem compensation while employed in this Territory.

Very respectfully, your obedient servant,

H. G. CAVENAUGH,
Captain, Thirteenth United States Infantry, Commanding.

Hon. W. H. H. MILLER,
Attorney-General, Washington, D. C.

This is to certify that Ransom Paye was appointed deputy United States marshal under me on the 9th day of November, 1888, and continued in my employ as deputy United States marshal until the 27th day of May, 1889.

Dated this 25th day of March, 1890.

W. C. JONES,
Late United States Marshal for Kansas.

This is to certify that George L. Wheeler, Ransom Payne, John Hixon, M. W. Robacker, D. F. Wyatt, A. G. Jones, O. S. Rarick, J. B. Koonce, C. B. Bickford, J. G. Varnum, T. P. Christie, T. H. East, George E. Thornton have been my deputies on duty in the Oklahoma country all of the time. That during that time their principal business has been to preserve the peace, and in order to do this successfully they have been compelled to, and they have performed police duty generally, both day and night, and this without any compensation whatever. I have no authority to pay them for services other than the service of the process of the court which has necessarily been light, while the other duties have been burdensome and vexatious, and reponsible in the extreme. And they deserve at the hands of Congress great consideration for the faithful and meritorious manner in which they have discharged every trust, and I bespeak for them ample compensation therefor in the miscellaneous appropriation bill.

R. L. WALKER,
United States Marshal.

Name.	Appointed.
George L. Walker, Guthrie (District of Kansas)	July 1, 1889
Ransom Payne, Kingfisher	July 2, 1889
John Hixon, Guthrie	
M. W. Robacker, Guthrie	
D. F. Wyatt, Kingfisher	July 19, 1889
A. G. Jones, Guthrie (revoked November 1, 1889)	May 28, 1889
O. S. Rarick, Guthrie	May 28, 1889
J. B. Koonce, Oklahoma City	Dec. 1, 1889
C. B. Bickford, Oklahoma City	July 10, 1889
J. G. Varnum, Guthrie	July 10, 1889
T. P. Christie, Kingfisher	Dec. 9, 1889
T. H. East, Oklahoma City (revoked January 10, 1890)	Aug. 27, 1889
George E. Thornton, Oklahoma City (revoked October 1)	July 11, 1889

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 422.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATING

To House Bill (H. R. 3934) to authorize the Board of Supervisors of Maricopa County, Ariz., to issue certain bonds in aid of the construction of a certain railroad.

JUNE 20, 1890.—Referred to the Committee on Territories.

TO THE HOUSE OF REPRESENTATIVES:

I return without my approval the bill (H. R. No. 3934) "to authorize the board of supervisors of Maricopa County, Arizona, to issue certain bonds in aid of the construction of a certain railroad."

This bill proposes to confer authority upon the supervisors of the County of Maricopa to issue county bonds at the rate of four thousand dollars per mile in aid of a railroad to be constructed from Phœnix northwardly to the county line, a distance estimated at fifty miles, but probably somewhat longer. The bill seems to have passed the House of Representatives under an entire misapprehension of its true scope and effect. In the brief report submitted by the Committee on Territories it is said that, "By the terms of the bill the county receives *bonds* in payment of the money proposed to be advanced," and in the course of the debate the Delegate from Arizona mistakenly stated in response to a request for information that the bill proposed a loan by the county, in exchange for which it was to receive the bonds of the railroad company. In fact, the bill does not provide for a loan to be secured by bonds, but for a subscription of stock. How far this mistake may have affected the passage of the bill cannot of course be known.

The bill does not submit the question of granting this aid to a vote of the people of the county, but confers direct authority upon the supervisors to issue the bonds. It is said, however, that in April, 1889, an election was held to obtain the views of the people upon the question. It does not appear from any papers submitted to me who were the managers of this so-called election, what notice, if any was given, what qualifications on the part of voters were insisted upon, if any, or in what form the question was presented. There was no law providing for such an election. Being wholly voluntary, the election was, of course, under the management of those who favored the subsidy, and was conducted without any legal restraints as to the voting or certification. I have asked for a statement of the vote by precincts, and have been given what purports to be the vote at twelve points. The total affirmative vote given was 1,975, and the negative 134. But of the affirmative vote 1,543 were given at Phœnix and 188 at Tempe,

a town very near to Phœnix. If there were no other objections to this bill I should deem this alone sufficient, that no provision is made for submitting to a vote of the people, at an election after due notice and under the sanction of law, the question whether this subscription shall be made.

But, again, the bill proposes to suspend for this case two provisions of the act of Congress of July 30, 1886.

First. That provision which forbids municipal corporations from subscribing to the stock of other corporations or loaning their credit to such corporations; and second, that provision which forbids any municipal corporation from creating a debt in excess of 4 per cent. of its taxable property as fixed by the last assessment. The condition of things then existing in Arizona had not a little to do with the enactment by Congress of this law, intended to give to the people of the Territories that protection against oppressive municipal debts, which was secured to the people of most of the States by constitutional limitations. The wisdom of this legislation is not contested by the friends of this bill, but they claim that the circumstances here are so peculiar as to justify this exception. I do not think so. In the States, the limitation upon municipal indebtedness is usually placed in the constitution, in order that it may be inflexible. If a showing of need, gain, or advantage is to overcome the barrier then it is scarcely worth while to declare a limitation. Only a belief that the limit is inflexible will promote care and economy in administration. If this bill becomes a law how can Congress refuse to any county in any of the Territories the right to subscribe to the stock of a railroad company—especially where the subscription would not exceed the debt limit—upon a showing of the advantages of better and cheaper communications.

Maricopa County is one of great extent. Its northern boundary is ninety-five miles long—its southern boundary sixty-six—its eastern forty-five and its western one hundred and two. This great area is to be taxed to construct a road which can in the nature of things be of advantage to but a fraction of it. There is no unity of interest or equality of advantage. It may very well be that a section of these lands along the line of the road, and especially town lots in Phœnix, would have an added value much greater than the increased burden imposed, but it is equally clear that much property in the county will receive no appreciable benefit.

The existing bonded indebtedness of Maricopa County is $272,000; the tax assessment of the county is about $5,000,000; and the population is estimated, by multiplying the vote cast in 1888 by 6, at about 12,000. It will be seen that the bonded debt—to say nothing of a floating debt which is said to be small—is already largely in excess of the legal limit, and it is proposed to increase it by a subscription that will certainly involve $200,000, and possibly $250,000. If the bill becomes a law the bonded indebtedness will very closely approximate ten per cent. of the assessed valuation of the property of the county.

The condition of things in the county of Yavapia, lying immediately north of Maricopa, and through which this road is also to run, though not directly affected by this legislation, is very instructive in this connection.

By an act of the legislature of Arizona, passed the year before the act of Congress to which I have referred, Yavapia County was authorized to subscribe $4,000 per mile to this line of road. The total length of the road in the county was 147 miles, and 74 miles to Prescott have been constructed. The Secretary of the Territory, in response to an

inquiry, states the debt of Yavapia County at $563,000, and the assessment for taxation at "between six and seven millions." There are seventy-three miles of road yet to be built from the present terminus, Prescott, to the south line of the county, for which Yavapia County must make a further issue of bonds of $292,000, making a total county debt of $855,000, or above 13 per cent. upon the taxable assessment (taking that at $6,500,000), and a per capita county debt of nearly $85, taking the population at about 10,600, as stated in the report of the Senate committee. Surely no one will insist that the true and permanent prosperity of these communities will be promoted by loading their energies and their industries with these great debts. I feel the force of the suggestion that the freight charges now imposed upon the farm and orchard products of Maricopa County by the railroads now in operation are oppressive. But this bill does not afford much relief even in that direction. There would be but one competing point, viz, Phœnix. At all other points on the proposed road the people would be subject to the exaction of just such rates as are demanded by the other lines. If this bill contained some effective provision to secure reasonable freight rates to the people who are to be taxed to build the road, it would go far to secure my favorable consideration for it.

I have carefully examined the reports of the committees and every argument that has been submitted to me by the friends of the bill, but I can not bring myself to believe that the permanent welfare of the communities affected by it will be promoted by its passage.

BENJ. HARRISON.

EXECUTIVE MANSION,
June 20, 1890.

[Fifty-first Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the second day of December, 1890.]

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, TO ISSUE CERTAIN BONDS IN AID OF THE CONSTRUCTION OF A CERTAIN RAILROAD.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the board of supervisors of Maricopa County, in Arizona Territory, be, and they are hereby, authorized to issue the bonds of said county to aid in the construction and equipment of a railroad to, from, or through the city of Phœnix, in said Maricopa County, to the northern boundary line of said county, which shall form a part of a continuous line from Phœnix, by way of Prescott, to the Atlantic and Pacific Railroad, in the Territory of Arizona, which bonds shall be issued at the times, at the rate per mile, in the form, and as provided by this act.

SEC. 2. That whenever Joseph Reynolds, as trustee, or his assign or incorporated grantee, shall have completed a roadbed and laid the ties and rails thereon for the distance of ten miles along the route of said road in said county of Maricopa, the board of supervisors of said county is hereby empowered, within ten days thereafter, to issue the bonds of said county for said ten miles, in the sum of four thousand dollars per mile, which said bonds shall be delivered to said Joseph Reynolds, trustee, or to his assign or incorporated grantee so constructing said railroad, upon proof, including the certificate of the chief engineer having in charge the construction of said road, being filed with said board of supervisors showing the construction and completion of said ten miles of railroad in the manner and to the extent as above required; and as often as ten miles along the route of said road additional to said first ten miles shall be constructed as aforesaid in said county of Maricopa, said board of supervisors of said county are hereby empowered, in like manner and upon like proof, to issue and deliver the bonds of said county to said Joseph Reynolds, as trustee, or to his assign or incorporated grantee, in like amounts per mile: *Provided*, That if the last section of said road to be constructed in said county of Maricopa shall be less than ten miles, then whenever the same shall have been constructed as aforesaid, and proof thereof made to and filed with said board of

supervisors in the manner aforesaid, said board of supervisors may thereupon, in like manner and form, issue and deliver the bonds of said Maricopa County, in the same amount per mile for said last section: *Provided*, That said county of Maricopa shall, upon the issue and delivery of said bonds, receive a like amount of full-paid non-assessable stock from said Joseph Reynolds, trustee, or from his assign or incorporated grantee, said stock being issued and based upon said railroad so constructed, or to be constructed as aforesaid.

SEC. 3. That the bonds provided for in this act shall be issued in the name of the county of Maricopa, in the usual form of municipal bonds, and shall be signed by the chairman of the board of supervisors of said county in his official capacity, and countersigned by the treasurer of said county, under the seal of said board of supervisors, each bond to be of the denomination of one thousand dollars, payable thirty years after date thereof, with interest at the rate of seven per centum per annum, payable annually, said principal and interest to be made payable at the office of the county treasurer of said Maricopa County, or at the office of any trust company in the city of New York that said Joseph Reynolds, trustee, or his assign or his incorporated grantee, shall select. The interest, rate, and time of payment shall be evidenced by coupons in the usual form attached to said bonds.

SEC. 4. That said board of supervisors of Maricopa County are hereby empowered, at their first regular meeting after the first issue and delivery of said bonds under the provisions of this act, and annually thereafter, and at the time and in the manner provided by the general revenue laws of the Territory of Arizona for levying taxes, to levy such additional taxes as may be necessary to raise a sum of money sufficient to pay the interest as the same matures on any outstanding bonds issued by said county of Maricopa under the provisions of this act: *Provided*, That in the year nineteen hundred and one, and every year thereafter until both principal and interest of said bonds shall have been paid, said board of supervisors may, in the manner and at the time provided by the general revenue laws of the Territory of Arizona for levying taxes therein, levy such further and additional taxes in said county as may be required to raise a sum of money sufficient to pay the annual interest upon said bonds, and that will insure the payment of the principal of said bonds and the redemption of the whole amounnt of said bonds outstanding at the date of their maturity; that the taxes so levied and collected by the treasurer of said county of Maricopa be placed in a fund to be denominated "railroad, interest, and redemption fund."

SEC. 5. That the treasurer of said Maricopa County shall, out of said "railroad, interest, and redemption fund," and if there be not sufficient in said fund, then the amount of the deficiency may be paid out of the general fund of said county annually upon each bond, to pay the interest which shall then have accrued thereon; and upon the payment by said treasurer of such interest he shall require the coupon or coupons representing the interest to be surrendered to him for cancellation, which shall be his voucher for the money so paid thereon.

SEC. 6. That said board of supervisors are further authorized and empowered to enter into a contract, in the name and under the seal of said county, with said Joseph Reynolds, as trustee, or with his assign or incorporated grantee, touching the issue of the bonds herein provided for, to aid in the construction of the said road, and in and by said contract said board of supervisors are hereby authorized to agree for and on behalf of said county with said Joseph Reynolds, as trustee, or with his assign or incorporated grantee, for the issue and delivery of the said bonds in the manner and for the purpose, and as in this act provided: *Provided, however*, That any contract heretofore made by said board of supervisors for the issuance of said bonds in conformity with the provisions of this act is hereby ratified.

SEC. 7. That this act shall not apply to any section or portion of said railroad which shall not be completed in the manner aforesaid on or before January first, anno Domini eighteen hundred and ninety-three, it being the intention of this act to give and extend the time for the completion of said road to January first, anno Domini eighteen hundred and ninety-three.

SEC. 8. That all acts or parts of acts in conflict with this act are hereby repealed in so far as the same mighted be deemed or taken to affect or prohibit the action of said board of supervisors of Maricopa County as herein authorized and provided.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 423.

APPROPRIATION FOR NORTH DAKOTA AGRICULTURAL EXPERIMENT STATION.

COMMUNICATION

FROM

THE ACTING SECRETARY OF AGRICULTURE,

IN REFERENCE TO

A deficiency in the appropriation for the North Dakota Agricultural Experiment Station and stating that said appropriation should be made.

JUNE 21, 1890.—Referred to the Committee on Appropriations.

DEPARTMENT OF AGRICULTURE,
OFFICE OF ASSISTANT SECRETARY,
Washington, June 20, 1890.

SIR: I have the honor to call your attention to a deficiency in the appropriations for agricultural experiment stations for the present fiscal year.

North Dakota, by an act approved March 8, 1890, established an agricultural college, under the United States act of July 2, 1862, which provides for the endowment of colleges for the benefit of agriculture and the mechanic arts; and established also, as a department of the college, an agricultural experiment station, under the United States act approved March 2, 1887, which provides for the establishment and maintenance of agricultural experiment stations in the several States and Territories. The college and station were formally organized at a meeting of the board of directors May 1, 1890. The North Dakota Experiment Station is therefore entitled to an appropriation for the current fiscal year.

Under the act of March 2, 1887, the annual appropriation for each station is $15,000. This station has been in existence two months. If the appropriation be made in proportion to this time it should be $2,500. A direct appropriation should be made.

I have the honor to be, respectfully,

EDWIN WILLITS,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 424.

LINEAL PROMOTION IN THE LINE OF THE ARMY.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A letter from Second Lieut. Edwin A. Root on the subject of lineal promotion in the line of the Army, as proposed by H. R. 8202 and Senate bill 3716, of the present Congress, with indorsement of the Major-General Commanding and also of the Secretary of War.

JUNE 25, 1890.—Referred to the Committee on Military Affairs.

WAR DEPARTMENT,
Washington, June 24, 1890.

SIR: I have the honor to transmit for the chairman of the Committee on Military Affairs, to whom it is addressed, a letter from Second Lieut. Edwin A. Root, Twenty-second Regiment of Infantry, dated at Fort Abraham Lincoln, N. Dak., June 7, 1890, on the subject of lineal promotion in the line of the Army, as proposed by House bill 8202 and Senate bill 3716, of the present Congress, and to invite attention to the indorsement of the Major-General Commanding the Army, dated the 21st inst., which is as follows:

In view of the action taken in the past and of pending legislation, the Major-General Commanding does not consider that it will be wise to reopen the question.

I fully concur in this view.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

FORT ABRAHAM LINCOLN, N. DAK., *June 2, 1890.*

Hon. B. M. CUTCHEON,
Chairman Committee on Military Affairs,
House of Representatives, Washington, D.C.:

(Through proper military channels.)

SIR: I have the honor very respectfully to forward herewith for consideration in connection with the proposed legislation on "lineal promotion in the line of the Army," as embodied in H. R. 8202 and S. 3716, a list of the officers of the infantry below the grade of major, rearranged in relative rank in each grade in the order which would have

existed if promotions had always been made since July 28, 1866, in accordance with the provisions of the above acts.

A few words in explanation of the list is necessary, as the data at this post for compiling an absolutely accurate one in every particular case is not obtainable, notwithstanding which, however, I think the exceptional cases will be found very few indeed, and could be easily corrected from the complete records in the War Department.

The press report your committee as saying in its report in favor of H. R. 8202 that—

> The present system of regimental promotion up to the rank of captain has worked very unequally and inequitably. It would be impossible to enumerate all the instances of injustice that arise from this system of regimental promotion.

The same journals quote the honorable the Secretary of War as saying—

> That the present system of regimental promotion has wrought injustice to many officers.

And likewise the Commanding General as saying:

> If, on the other hand, it be admitted that the vested rights of officers, acquired under the present and past system of promotion, do not forfeit legislation designed to correct the relative injustice heretofore done, and it be designed to amend the bill for this purpose, I would suggest the following amendment in lieu of the one first suggested, viz:
>
> *Provided*, That in the line of the Army the officers of each grade below that of major shall be arranged in relative rank in that grade in the order which would have existed if promotion had always heretofore been made in accordance with the provisions of this act.

The effect of this provision, he thinks, would be to correct the relative injustice heretofore done so far as can be without depriving any officer of his present commission and without increasing the number of officers of any one grade. "It would simply," General Schofield says, "regulate the promotion of all to the next higher grade according to the lineal principle as if that had always been recognized."

Attention is also invited to that portion of the Commanding General's indorsement on the protest against lineal promotion submitted by officers of the Fourth Cavalry, whereon he not only disapproves of the present mixed system, but states as his belief that the system here shown to be possible, to be the best.

He also says in an indorsement on Lieutenant Swift's case:

> If it were considered possible to rearrange the officers of the line as they would have been arranged if lineal promotion had heretofore prevailed, impartial justice would be done to all.

It is my purpose here to try to show by the accompanying list that this recommendation of the Commanding General is not only possible, but is the only one by which past injustice may be remedied as far as possible and like injustice in future prevented.

By this method every objection raised by Lieut. Eben Swift, Fifth Cavalry, one of the cases calling forth proposed amendments to the original bills, will vanish, and he will not only take his proper place in the list of first lieutenants, but forever after (during peace) get his other promotions in proper order.

I also wish to show wherein great injustice may arise if this re-arrangement be not made; but instead, lineal promotion is begun, as proposed, with the now second lieutenants. Under the proposed amendment Second Lieut. J. D. Mann, Seventh Cavalry, will be the first to obtain his promotion to a first lieutenant. He graduated from the U. S. Military Academy June 15, 1877. His promotion might take him to the Ninth Cavalry, in which there are thirteen first lieutenants whom he

ranked from the date of graduation until the present system of promotion made them first lieutenants over his head. The junior first lieutenant of that regiment, First Lieut. E. F. Ladd, graduated seven years after Lieutenant Mann. Under the proposed amendment Lieutenant Ladd would receive his captaincy before Lieutenant Mann, and might possibly go to the company of which Lieutenant Mann was first lieutenant, presenting the anomaly of a company having a first lieutenant of seven years' longer service than its captain, and furnishing the strongest example of an injustice uncorrected, in fact made more permanent, by the proposed law. Likewise nearly one-third of the second lieutenants of cavalry would be similarly placed. Like cases of permanently fixing injustice upon second lieutenants of artillery and infantry by the passage of the amendment, to begin lineal promotion with the now second lieutenants, can be cited in great numbers.

No complaint can be made against the system here proposed by any one that banishes selfish, personal motives in considering it, and looks only at the justice, the good of the service, and the best interests of the Government.

The last few weeks have shown, however, that there are some who, by the present system of regimental promotion, have jumped many of their former seniors, and others who expect to do the same, thereby unjustly gaining rank above them, who will protest bitterly against being relegated to their proper places, and try to prevent those to whom an injustice has been done, having their rights restored and partial reparation accorded them. But no personal, selfish, or other considerations of a few should be allowed to stand before right and justice being done to the many that my list will show have been suffering an injustice for many years.

Those who will oppose this system, for reasons born of selfishness, will raise all manners of objections and try to show that it is impracticable, etc., and these objections I wish to refute by proving that to rearrange the different grades is an easy and simple matter, remedying all the evils and injustice that many are now laboring under as regards rank.

It is true that, in a few cases, officers who now stand at the head of the list for promotion in their regiments may have their promotion delayed a short time by this re-arrangement, but no injustice is being done them, since they are there above men who were their seniors on entering the service. Nor is it thought there can be any question of the power of Congress to make this re-arrangement as proposed, since all rights, vested or otherwise, acquired by officers, rest solely in the hands of Congress under its constitutional power to raise and support armies and to make rules for the government and regulation of the same.

To begin with, I tried to conceive exactly the idea the commanding general had in mind when he formed the amendment quoted on page 2 herein, and I worked out the list on that idea.

I assumed that the system proposed is only applicable to a time of peace, therefore I have gone back no farther in the re-arrangement than the28th of July, 1866, when the Army was reorganized and increased after the cessation of hostilities.

All officers at present in service who held commissions on that date, and all who were commissioned to date from that time, I re-arranged in relative rank in each grade as they stood at the close of that day. And all officers commissioned since then I have re-arranged in each grade according to the relative rank they were given on entering.

There are a few officers who were appointed on the same days of

1866 and 1867, from the volunteers, and of whom I could find no lineal assignment. I therefore arranged them according to the rank they held in the volunteers when mustered out, as given in the Army Register, and when two or more entering on the same day held the same rank, then according to the length of service in that rank. I understood that was the manner of determining their relative rank when they were appointed.

As I understand the idea of the commanding general, and as I have worked out this list, he would have a law passed providing that all the captains in the line be re-arranged and placed in their proper relative positions lineally. Likewise all the first lieutenants, the second lieutenants being already so arranged. Then as a vacancy occurs in the grade of captain, the senior first lieutenant, as shown by the re-arranged list, would be promoted, but instead of being placed at the foot of the list as the junior captain, the law should provide that he be advanced in the list of captains to where he would have been had promotion been lineal since July 28, 1866. I have indicated in this list where his place would be by writing his name in red ink [*italics*]. By this system every officer who has been jumped by any junior would eventually regain his proper place in the lineal list.

This same rule should apply to a second lieutenant on being promoted first lieutenant, for the reasons given in the case of Lieutenant Mann, Seventh Cavalry, above.

The case of First Lieut. R. P. Brown, Fourth Infantry, will illustrate this, he being on the re-arranged list the senior first lieutenant of infantry, having entered as a second lieutenant June 18, 1866. On a vacancy occurring in the grade of captain he would be promoted and immediately advanced on the list next below Capt. G. O. Webster, who graduated in the same class and one file above him, thus placing Lieutenant Brown in a position to receive his promotion to a majority as if he had not been continually jumped by members of his own class, his juniors on entering the service, and also by members of succeeding classes for more than seven years.

The law should also provide that any officer accepting the new positions and arrangements shall be considered as having waived all rights to any claims against the Government for any back pay that would have been his had lineal promotion always been the practice.

A like re-arrangement of the officers of cavalry and artillery can be as easily made, thus removing all effects of past injuries, and avoid any in future.

Second lieutenants are already arranged in the Army Register in the order in which they should receive their promotion. All officers whose names appear in red ink [*italics*] in the list of captains are still first lieutenants, and have been jumped by every captain whose name is below theirs in black [roman]. Likewise all officers whose names appear in red ink [*italics*] in the list of first lieutenants are still second lieutenants, and have been jumped by every first lieutenant whose name is below theirs in black [roman].

As re-arranged the lineal rank of 39 captains will not be changed, 97 will be lowered, and 114, before whose names are red crosses [*], will be immediately raised to their rightful places from 1 to 100 files.

To Maj. Wm. H. Powell, Twenty-second Infantry, I owe my thanks for much valuable data and encouragement in accomplishing my task.

Very respectfully, your obedient servant,

EDWIN A. ROOT,
Second Lieutenant, Twenty-second Infantry.

A re-arranged list of officers of infantry below the grade of major, designed to correct past irregularities in promotions, and insure just lineal promotion in future.

[Names printed in *italics* are written in red ink in original manuscript; those marked with * were indicated by × mark in red ink.]

No.	Name.	Captains: Date of commissions considered as captains.	No.	Name.	Captains: Date of commissions considered as captains.
	CAPTAINS.			CAPTAINS—continued.	
1	Coates, Edwin M	Apr. 11, 1865	17	Powell, J. W., jr	July 28, 1866
2	Randall, George M	Sept. 23, 1865	18	Wheaton, L	....do
3	Henton, James	Nov. 4, 1865	19	French, J. W	... do
4	Wedemeyer, William G	Nov. 16, 1865	20	Bentzoni, C	....do
5	De Courcy, F. E	Nov. 21, 1865	21	Daggett, A. S	....do
6	Bradford, James H	Dec. 1, 1865	22	Trotter, F. E	....do
7	Worth, WilliamS	Jan. 14, 1866	23	Rose, T. E	....do
8	Mills, William	Feb. 13, 1866	24	Russell, G. B	....do
9	Sanderson, George K	Mar. 28, 1866	25	McKibbin, C	....do
10	Wherry, William M	Apr. 5, 1866	26	Liscum, E. H	....do
11	Irvine, J. B	Apr. 7, 1866	27	Haskell, J. T	....do
12	Patterson, J. H	July 28, 1866	28	Gageby, J. H	....do
13	Remington, P. H	....do	29	Lyman, W	... do
14	Freeman, H. B	....do	30	Hood, C. C	....do
15	Kirtland, T. S	....do	31	Lawson, G	....do
16	Bailey, C. M	....do			

No.	Name.	Captains: Date of commissions considered as first lieutenants.	No.	Name.	Captains: Date of commissions considered as first lieutenants.
	CAPTAINS—continued.			CAPTAINS—continued.	
32	*Carpenter, G. S	Nov. 25, 1862	73	*Paul, C. R	Feb. 23, 1866
33	*Bisbee, W. H	Dec. 31, 1862	74	Humphreys, H. H	....do
34	Lacey, F. E	May 1, 1863	75	*Clapp, W. F.	....do
35	*Tisdall, W. N	July 2, 1863	76	McGowan, A. B	....do
36	*Harbach, A. A	....do	77	*Davis, C. L	....do
37	*Burke, D. W	....do	78	*Ward, H. C	... do
38	*Sanno, J. M. J	Dec. 3, 1863	79	McCaskey, W. S	....do
39	*Williams, C	Jan. 1, 1864	80	*Kirkman, J. T	....do
40	Davis, G. W	Jan. 22, 1867	81	Pollock, O. W	....do
41	Gilmore, J. C	....do	82	*Savage, E. B	....do
42	*Schindel, J. P	Feb. 8, 1864	83	Hooten, M	....do
43	Smith, J. N	Mar. 7, 1867	84	*Western, C. B	....do
44	Miner, C. W	...do	85	Van Horn, W. H	....do
45	Ewers, E. P	Mar. 16, 1864	86	*Baldwin, F. D	....do
46	*Carter, M	May 14, 1864	87	*Sage, W. N	....do
47	Bainbridge, A. H	June 9, 1864	88	Eskridge, R. I	Mar. 22, 1866
48	*Luhn, G. L	June 29, 1864	89	*Quinby, I	Mar. 28, 1866
49	Smith, T. M. K	July 2, 1864	90	*Thorne, P. M	Apr. 5, 1866
50	*Coolidge, C. A	July 20, 1864	91	Viven, J. L	...do
51	*Hay, L	Sept. 29, 1864	92	*Kieffe, J	July 28, 1866
52	Bomford, G. N	Nov. 12, 1864	93	*Callinan, D. F	....do
53	*Stouch, G. W. H	Dec. 31, 1864	94	Bennett, C. E	....do
54	*Quinn, T. F	Feb. 2, 1865	95	Howe, H. O	....do
55	*Porter, C	Feb. 20, 1865	96	*Miller, J	....do
56	Coe, J. N	Mar. 12, 1865	97	Jocelyn, S. P	....do
57	*Hale, J	Mar. 21, 1865	98	*Heiner, R. G	....do
58	*Dougherty, W. E	Apr. 9, 1865	99	*Morton, A	....do
59	*Baker, S	May 3, 1865	100	Crandall, F. M	....do
60	*Tobey, T. F	May 6, 1865	101	Johnson, L	....do
61	McLaughlin, W. H	June 23, 1866	102	*Potter, C. H	....do
62	Lloyd, T. J	....do	103	*Neide, H	....do
63	*Keller, C	....do	104	*Barrett, G	....do
64	*Dempsey, C. A	...do	105	*Logan, T. H	....do
65	*Corliss, A. W	July 21, 1865	106	*Rice, E	... do
66	*Bubb, J. W	Feb. 5, 1866	107	Nowell, J. M	....do
67	*Wells, D. T	Feb. 13, 1866	108	Robe, C. F	....do
68	*Lincoln, S. H	Feb. 23, 1866	109	Goodale, G. A	...do
69	*McConihe, S	....do	110	Witherell, C. T	July 28, 1866
70	Hale, C	....do	111	Spurgin, W. F	...do
71	*Towle, G. F	...do	112	Waterbury, W. M	....do
72	Gilbreath, E. C	....do	113	Hobart, C	... do

A re-arranged list of officers of infantry below the grade of major, etc.—Continued.

No.	Name.	Captains: Date of commissions considered as second lieutenants.	No.	Name.	Captains: Date of commissions considered as second lieutenants.
	CAPTAINS—continued.			CAPTAINS—continued.	
114	*Vance, R	Feb. 23, 1866	186	*Hannay, J. W	Sept. 28, 1866
115	Ellis, R. H	do		*Borden, G. P*	Oct. 1, 1866
116	*Catley, H	do	187	Parker, L. O	Oct. 9, 1866
117	*Randall, E. L	do		*Sarson, H. B*	Nov. 16, 1866
118	*Thompson, J. R	do	188	Halloran, J	Dec. 1, 1866
119	*Miller, W. A	do	189	*Regan, J	do
120	*Noble, C. H	do	190	*Duggan, W. T	Jan. 3, 1867
121	*Ketchum, H. H	do	191	*Thibaut, F. W	Jan. 22, 1867
122	*Romeyn, H		192	Palmer, G. H	do
123	*Bartlett, W. C		193	Crowell, W. H. H	do
124	*Adams, H. H	Feb. 23, 1866	154	Bean, J. W	do
125	Stillé, L. R	Mar. 16, 1866	195	Green, C. H	do
126	Conrad, C. H		196	*Hall, C. B	do
127	*Quinton, W		197	*Stiles, D. F	do
128	Rogers, B. H	Mar. 16, 1866	198	Chance, J. C	do
129	Conway, W	Mar. 22. 1866	199	Armstrong, R. G	do
130	*Harris, A., jr	Mar. 28, 1866	200	*Hasson, P	do
131	*Baldwin, J. H	Mar. 30, 1866	201	Harwood, P	Mar. 7, 1867
132	*Maise, W. R	Apr. 23, 1866		*Bailey, E. L*	do
133	*Ulio, J	Apr. 25, 1866	202	*Bishop, J. S	do
134	Brown, H. G	May 2, 1866	203	Lott, G. G	do
135	*Foote, M. C	May 7, 1866	204	*Ray, P. H	do
136	Pierce, F. E	May 8, 1866	205	*Manley, J. A	do
137	Boyle, W. H	May 10, 1866		*Young, R. H*	do
138	Wilhelm, T	May 11, 1866		*Vedder, S. C*	do
139	*Seton, H	do	206	Vernon, C. A	do
140	Munson, J. F	do	207	Hurst, J. H	do
141	*Jackson, A. H	do	208	Daugherty, W. W	do
142	*Warrens, C. H	do	209	*Bates, R. F	do
143	Craigie, D. J	do	210	*Dodge, F. L	do
144	Hartz, W. T	do	211	*Lockwood, B. C	do
145	*Leefe, J. G	do	212	Matile, L. A	do
146	*Richards, W. V	do	213	*Burbank, C. S	do
147	*Manning, W. C	do		*Buchanan, J. A*	do
148	*Ames, L. S	do	214	Carpenter, W. L	Apr. 5, 1867
149	Auman, W	do		*Payne, J. A*	May 6, 1867
150	O'Brien, L. M	do		*O'Brien, J. J*	do
151	*Bradley, T. H	do	215	*Hinton, B. C	do
152	Roberts, C. S	Feb. 23, 1866		*Waring, J. K*	May 8, 1867
153	Stone, E. W	do	216	*Wetherill, A. M	May 9, 1867
154	Ward, G. S. L	do	217	*Reade, F	May 13, 1867
155	*Price, B. D	do	218	Stafford, S. R	May 21, 1867
156	*Hoffman, W	do	219	*Gerlach, W	May 22, 1867
157	*Sanborn, W. I	do	220	Hedberg	
158	Whitney, F. A	May 15, 1866	221	*Burnett, L. F	May 25, 1867
159	*Webster, G. O	June 18, 1866	222	Sweet, O. J	May 27, 1867
	Brown, R. P	do	223	Brinkerhoff, H. R	June 3, 1867
160	*Stretch, J. F	do		*McCammon, W. W*	June 18, 1867
161	*Cusick, C. C	June 20, 1866	224	Burnham, D. R	do
162	*Morrison, T. W	July 28, 1866		*Barnhart, F. H*	do
163	Morgan, J. N	do		*Smith, O. M*	do
	Clarke, S. E	do	225	Wilson, G. S	July 2, 1867
164	Lee, J. M	do		*Johnson, C. A*	Aug. 9, 1867
165	Haughey, J. A	do		*Anderson, J*	Aug. 10, 1867
166	*Wilkinson, M. C	do		*Tyler, W. W*	Aug. 13, 1867
167	Penney, C. G	do		*Murphy, J*	Aug. 16, 1867
168	Thompson, J. M	do		*Spencer, G. K*	Aug. 17, 1867
169	*Earnest, C. A	do		*Craft, D. L*	Aug. 24, 1867
170	Sharp, T	do	226	Haskell, H. L	Aug. 30, 1867
171	Stivers, E. J	do	227	Bullis, J. L	Sept. 3, 1867
172	*Egbert, A. R	do	228	*Rockefeller, C. M	do
173	Cavenaugh, H. G	do	229	*De Lany, H	Sept. 11, 1867
174	*Hargous, C. E	do	230	Ebstein, F. H. E	Sept. 12, 1867
175	Garetty, F. D	do	231	*Burns, J. M	Sept. 21, 1867
176	Roe, C. F	do	232	Hamner, W. H	Oct. 16, 1867
177	*Wilson, D. B	do		*Stembel, J. McB*	Oct. 19, 1867
178	Bowman, A. H	do	233	*Kendrick, F. M. H	Oct. 22, 1867
179	Drum, J	do	234	Ritzius, H. P	Oct. 23, 1867
180	Markley, A. C	do	235	Markland, M	Oct. 24, 1867
181	Forbes, T. F	do	236	O'Connell, J. J	Oct. 28, 1867
182	*Groesbeck, S. W	do		*Taylor, F*	Oct. 29, 1867
183	Guthrie, J. B	do	237	Rheem, E. B	Oct. 30, 1867
184	*Whitall, S. R	do		*Williams, W. M*	Nov. 13, 1867
185	Rogers, W. P	do	238	Myer, A. L	Dec. 6, 1867

A re-arranged list of officers of infantry below the grade of major, etc.—Continued.

No.	Name.	Captains: Date of commissions considered as second lieutenants.	No.	Name.	Captains: Date of commissions considered as second lieutenants.
	CAPTAINS—continued.			CAPTAINS—continued.	
	Thompson, R. E	June 13, 1868		*Dougherty, J. J*	June 14, 1872
239	Rodman, J. B	do		*Ogle, A*	do
	Lynch, E	July 9, 1868		*Brown, G. LeR*	do
240	Chapin, E. S	June 15, 1870	247	Wygant, H	do
241	Edmunds, F. H	June 12, 1871		*James, W. H. W*	do
	Mott, W	do		*Memain, L*	July 27, 1872
	Woodruff, T. M	do		*Kinzie, J*	do
242	Mansfield, F. W	do		*Bailey, H. K*	do
243	*Fornance, J	do		*Lovell, R. A*	do
	Robinson, H. E	do		*Baldwin, J. A*	do
	Wheeler, W. B	do		*Wieting, O. L*	July 30, 1872
	Brush, D. H	do		*Kell, W. H*	Dec. 12, 1872
	Webster, J. McA	do		*Pratt, E. B*	do
	Guard, A. McC	do		*Fletcher, E. L*	Jan. 9, 1873
	Townsend, T. G	do	248	*Tassin, A. G	Mar. 19, 1873
	Roe, F. W	do		*Smith, F. A*	June 13, 1873
	Cooke, L. W	Oct. 13, 1871		*Cornish, G. A*	do
244	Wessels, M. C	Dec. 18, 1871		*Cowles, C. D*	do
245	Reade, H	Mar. 4, 1872	249	Cornman, D	do
	Mumford, T. S	June 13, 1872		*Clark, D. H*	do
	Pitcher, W. L	do		*Casey, E. W*	do
	Griffith, E	June 14, 1872		*Gardner, C*	do
	Gilman, B. H	do		*Huston, J. F*	do
246	Van Orsdale, J. T	do		*Taylor, A. H. M*	Oct. 1, 1873
	Ruklen, G	do		*Cory, W. O*	do
	Yeatman, R. T	do		*Warwick, O. B*	do
	Jamar, M. F	do		*McGunnegle, G. K*	do
	Walker, G. B	do		*Roach, G. H*	do
	Woodbury, T. C	do		*Mills, F. H*	do
	Booth, C. A	do		*Peshine, J. H. H*	do
	Hoyt, R. W	do		*Heyl, C. H*	do
	Allen, L. C	do		*Kinzie, G. H*	do
	McFarland, W. C	do		*Ord, J. C*	do
	Patterson, G. T. T	do	250	Duncan, J. W	do
	Worden, C. A	do			

No.	Name.	First lieutenants: Date of commissions considered.	No.	Name.	First lieutenants: Date of commissions considered.
	FIRST LIEUTENANTS.			FIRST LIEUTENANTS—cont'd.	
1	Brown, R. P	June 18, 1866	28	Wheeler, W. B	June 12, 1871
2	Clark, S. E	July 28, 1866	29	Brush, D. H	do
3	Borden, G. P	Oct. 1, 1866	30	Webster, J. McA	do
4	Sarson, H. B	Nov. 16, 1866	31	Guard, A. McC	do
5	Bailey, E. L	Mar. 7, 1867	32	Townsend, T. G	do
6	Young, R. H	do	33	Roe, F. W	do
7	Vedder, S. C	do	34	Cooke, L. W	Oct. 13, 1871
8	Buchanan, J. A	do	35	Mumford, T. S	June 13, 1872
9	Payne, J. A	May 6, 1867	36	Pitcher, W. L	do
10	O'Brien, J. J	do	37	Griffith, E	June 14, 1872
11	Waring, J. K	May 8, 1867	38	Gilman, B. H	do
12	McCammon, W. W	June 18, 1867	39	Ruhlen, G	do
13	Barnhart, F. H	June 18, 1867	40	Yeatman, R. T	do
14	Smith, O. M	do	41	Jamar, M. F	do
15	Johnson, C. A	Aug. 9, 1867	42	Walker, G. B	do
16	Anderson, J	Aug. 10, 1867	43	Woodbury, T. C	do
17	Tyler, W. W	Aug. 13, 1867	44	Booth, C. A	do
18	Murphy, J	Aug. 16, 1867	45	Hoyt, R. W	do
19	Spencer, G. K	Aug. 17, 1867	46	Allen, L. C	do
20	Craft, D. L	Aug. 24, 1867	47	McFarland, W. C	do
21	Stembell, J. McB	Oct. 19, 1867	48	Patterson, G. T. T	do
22	Taylor, F	Oct. 29, 1867	49	Worden, C. A	do
23	Williams, W. M	Nov. 13, 1867	50	Dougherty, J. J	do
24	Thompson, R. E	Jan. 13, 1868	51	Ogle, A	do
	Lynch, E	July 9, 1868	52	Brown, G. Le R	do
25	Mott, W	June 12, 1871	53	James, W. H. W	do
26	Woodruff, T. M	do	54	Merriam, L	July 27, 1872
27	Robinson, H. E	do	55	Kinzie, J	do

A re-arranged list of officers of infantry below the grade of major, etc.—Continued.

No.	Name.	First lieutenants: Date of commissions considered.	No.	Name.	First lieutenants: Date of commissions considered.
	FIRST LIEUTENANTS—cont'd.			FIRST LIEUTENANTS—cont'd.	
56	Bailey, H. K	July 27, 1872	132	Long, O. F	June 15, 1876
57	Lovell, R. A	do	133	Bonesteel, C. H	do
58	Baldwin, J. A	do	134	Howland, C	do
59	Wieting, O. L	July 3, 1872	135	Farrow, E. S	do
60	Kell, W. H	Dec. 12, 1872	136	Buttler, W. C	do
61	Pratt, E. B	do	137	Hall, C. S	do
62	Fletcher, E. L	Jan. 9, 1873	138	Bailey, H. L	do
63	Smith, F. A	June 13, 1873	139	Andrews, G	do
64	Cornish, G. A	do	140	Pague, S. S	do
65	Cowles, C. D	do	141	Hutton, J. A	do
66	Clark, D. H	do	142	Palmer, G	do
67	Casey, E. W	do	143	Sharpe, A. C	June 21, 1876
68	Gardner, C	do	144	Eckerson, T. H	Aug. 15, 1876
69	Huston, J. F	do	145	Febiger, L	do
70	Taylor, A. H. M	Oct. 1, 1873	146	Goodwin, W. P	do
71	Cory, W. O	do	147	Dent, J. C	do
72	Warwick, O. B	do	148	Kimball, W. A	Aug. 31, 1876
73	McGunnegle, G. K	do	149	Howard, G	do
74	Roach, G. H	do	150	Eldridge, B	do
75	Mills, F. H	do	151	Dyer, S. A	do
76	Peshine, J. H. H	do	152	Sharp, F. D	Dec. 14, 1876
77	Heyle, C. H	do	153	Crittenden, J. J	do
78	Kinzie, G. H	do	154	Van Vliet, R. C	do
79	Ord, J. C	do	156	Byrne, C	Jan. 9, 1877
80	Lassiter, W	do	157	Thompson, C. B	do
81	Von Schrader, F	do	158	Macklin, J. E	Jan. 12, 1877
82	Wotherspoon, W. W	do	159	Wood, P. G	Mar. 1, 1877
83	Paulding, W	do	160	Abercrombie, W. R	do
84	Turner, W. J	do	161	Paxton, A. R	Mar. 3, 1877
85	Robertson, E. B	June 17, 1874	162	Mosher, T	Apr. 19, 1877
	Tully, R*		163	Clay, T. J	Apr. 25, 1877
86	Webster, E. K	June 17, 1874	164	Nichols, W. A	May 7, 1877
87	Cecil, G. R	do	165	O'Connor, S	June 9, 1877
88	Cabannis, C. H., jr	do	166	Haden, J. J	June 15, 1877
89	Rowell, C. W	do	167	Plummer, E. H	do
90	Wittich, W	do	168	Martin, M. C	do
91	Turner, G. L	do	169	Wilson, R. H	do
92	Reynolds, A	do	170	Chynoweth, E	do
93	Hewitt, C. C	do	171	Philbrick, J. H	do
94	Hardin, E. E	do	172	Stevens, R. R	do
95	Tyler, C. R	do	173	Crane, C. J	do
96	Williams, C. A	do	174	Augur, A. A	do
97	Maus, M. P	do	175	Brereton, J. J	do
98	Wheeler, W. H	do	176	McMartin, J	do
99	Williams, A	Oct. 31, 1874	177	Glenn, E F	do
100	Scott, W. S	do	178	Kirby, H	do
101	Hodges, C. L	Jan. 20, 1875	179	Wood, W. T	do
102	Mason, C. W	do	180	Mills, S. C	do
103	Chubb, C. St. J	do	181	Chase, G. N	do
104	Young, G. S	do	182	Baxter, J., jr	do
106	Mann, W. A	June 16, 1875	183	Jackson, J. B	do
108	Gustin, J. H	do	184	Frederick, D. A	do
109	Eltonhead, F. E	do	185	Maury, J. A	do
110	Davis, F. F	do	186	Barry, T. H.†	Oct. 12, 1877
111	Goe, J. B	do	187	Clark, W. O.†	Dec. 31, 1877
112	Ballance, J. G	do	188	Petit, J. S	June 14, 1878
113	Bolton, E. B	do	189	Wooley, F	do
114	Wagner, A. L	do	190	Evans, W. P	do
115	McCaleb, T. S	do	191	Howe, E. W	do
116	Evans, R. K	do	192	Sparrow, S. E	do
117	Byrne, B. A	Oct. 15, 1875	193	Greene, L. D	do
118	Seyburn, S. Y	do	194	Buck, W. L	do
119	Cooke, G. F	do	195	Pickering, A	do
120	Nickerson, J. D	do	196	Tillson, J. C. F	do
121	Tilton, P	do	197	Carrington, F. de L	do
122	Johnson, A. B	do	198	Avery, F. P	do
123	Loughborough, R. H. R	do	199	Starr, C. G	do
	Bowen, W. H. C	do	200	Waltz, M. F	do
124	Earle, R. T	Nov. 5, 1875	201	Heistand, H. O. S	do
125	Clagett, J. R	Nov. 29, 1875	262	Getty, R. N	do
126	Steedman, R. R	Feb. 1, 1876	203	Phister N. P	do
127	Woodbridge, F	do	204	Wolf, S. A	do
128	Mulhall, S. J	Feb. 29, 1876	205	Dodge, C., jr	Oct. 25, 1878
129	Mitchell, D. D	do	206	French, F. H	June 13, 1879
130	Lovering, L. A	June 15, 1876	207	Smith, E. D	do
131	Foster, H. S	June 15, 1876	208	Greene, H. A	do
	Cushman, H.‡		209	Dodds, F. L	do

A re-arranged list of officers of infantry below the grade of major, etc.—Continued.

No.	Name.	First lieutenants: Date of commissions considered.
	FIRST LIEUTENANTS—cont'd.	
210	Pendleton, E. P	June 13, 1879
211	Noyes, C. R	....do .....
	Leyden, James A	....do .....
212	Terrett, C. M	....do .....
213	Liggett, H	....do .....
214	Parke, J. S	....do .....
	Reynolds, W. B	....do .....
215	Dowdy, R. W	....do .....
216	Miner, C. C	....do .....
217	Irons, J. A	....do .....
	Eastman, F. F	....do .....
218	McClure, C	....do .....
219	Steele, C. L	....do .....
220	Howell, D. L	....do .....
	Browne, E. H	....do .....
221	Leavell, B. W	....do .....
222	Mallory, J. S	....do .....
223	May, W. T	....do .....
224	Miller, S. W	....do .....
225	Jones, F. B	....do .....
226	Saffold, M. B	....do .....
227	Thurston, W. A	....do .....
	Ducat, A. C., jr	....do .....
228	Brant, L. P	Aug. 7, 1879
229	Reed, H. D	Aug. 14, 1879
230	Grd, E. O. C	Sept. 1, 1879
231	Strother, L. H	....do .....
	French, W. D. P	....do .....
232	Partello, J. M. T	....do .....
233	Irvine, R. J. C	....do .....
234	Ames, R. F	....do .....
235	Benham, H. H	....do .....
236	Mason, J. S	....do .....
237	Newton, J	....do .....
238	Black, W	....do .....
239	Devol, C. A	....do .....
240	Terrett, C. P	....do .....
	Hughes, W. N	....do .....
241	Fremont, F. P	....do .....
242	Brooke, E. H	Nov. 28, 1879
243	Defrees, T. M	Jan. 13, 1880
244	Churchill, C. A.†	Sept. 1, 1879
245	Hubert, E	June 12, 1880
246	Dunning, S. W	....do .....
	Avis, E. S	....do .....
247	Cowles, W. H	....do .....
248	Chandler, E	....do .....
249	Travis, P. M. B	....do .....
	Scott, A. B	....do .....
250	Wever, B S	....do .....
251	Rogers, J. S	....do .....
252	Moon, H. B., jr	....do .....
	Roberts, H. L	....do .....
253	Bell, G., jr	....do .....
254	Vogdes, C. B	....do .....
255	Torrey, Z. W	....do .....
256	Grumley, E. I	June 24, 1880
257	Palmer, A. M	....do .....
258	Edwards, E. A	....do .....
259	Bret, J. E	....do .....
260	Connolly, T	....do .....
	Blauvelt, W. F	....do .....
	Chatfield, W. H	Oct. 4, 1880
261	Lockwood, J. A	Nov. 23, 1880
262	Mercer, W. A	....do .....
263	Hovey, H. W	....do .....
264	Dapray, J. A	Nov. 24, 1880
265	Hearn, L. J	....do .....
266	Webber, E. H	....do .....
267	McCoy, F. B	Nov. 26, 1880
	Lloyd, E	....do .....
	Batchelor, J. B., jr	Nov. 29, 1880
268	Abbott, C. W., jr	June 11, 1881
269	Kernan, F. J	....do .....
270	Turner, R. B	....do .....
271	Barbour, J. L	....do .....
272	McNutt, A. S	June 11, 1881
	Hill, R. G	....do .....
	Morrison, J. F	....do .....
	Kerr, J. T	....do .....
273	McCarthy, D. E	....do .....
274	Barth, C. H	....do .....
	Brumback, V. J	....do .....
275	Emery, J. E	....do .....
	Rowan, A. S	....do .....
	Andrus, F. B	....do .....
276	Leonhaeuser, H. A	....do .....
	Wills, J. H	....do .....
277	Kennon, L. W. V	....do .....
	Van Liew, F. T	....do .....
	Wilson, J. E	....do .....
	Anglum, D. F	....do .....
278	Hardin, C. B	Mar. 27, 1881
279	Clark, C. J. T	....do .....
	Cotter, J	....do .....
280	Stafford, J	....do .....
	Fowler, C. S	June 7, 1881
	Alvord, B., jr	June 13, 1882
281	Stottler, V. E	....do .....
282	McIver, G. W	....do .....
	Sage, W. H	....do .....
	Patten, G. H	....do .....
	Hollis, M. O	....do .....
283	Beacom, J. H	....do .....
	Welch, B. C	....do .....
	Goodin, J. A	....do .....
	Allaire, W. H	....do .....
	Green, J. O	....do .....
	Collins, C. L	....do .....
	Ahern, G. P	....do .....
	Geary, W	....do .....
	Wilson, T. H	July 26, 1882
284	Kennedy, C. W	June 13, 1883
285	Morton, C. G	....do .....
	Root, E. A	....do .....
286	Littell, I. W	....do .....
287	Wright, W. K	....do .....
288	Shollenberger, J. H	....do .....
	Hale, H. C	....do .....
	Cochran, C. H	....do .....
	Taggart, E. F	....do .....
	Faison, S. L	....do .....
	Hasbrouck, A., jr	....do .....
	Keeps, J. F	....do .....
	Cabell, H. C., jr	....do .....
	Walker, E. S	....do .....
	McQuiston, C	....do .....
289	Griffith, T. W	....do .....
	Perkins, F	....do .....
290	Bundy, O	....do .....
291	Tyson, L. D	....do .....
	Edward, C. R	....do .....
	Roach, H. M	July 3, 1883
	Burnham, W. P	....do .....
	Arrasmith, J. M	....do .....
	Johnston, W. H., jr	Oct. 10, 1883
	Perry, J. J	....do .....
	George, C. R	....do .....
	Atkinson, B. W	....do .....
	Sehon, J. L	....do .....
292	Blatchford, R. M	....do .....
	Clay, C. D	....do .....
293	Duval, J. H	....do .....
	Stamper, W. Y	Nov. 21, 1883
	Nichols, M	....do .....
	Vance, Z. B., jr	Jan. 7, 1884
	O'Neil, J. P	Feb. 4, 1884
	Simpson, W. L	June 15, 1884
	Hatch, E. E	....do .....
	Palmer, F. L	....do .....
294	Richardson, W. P	....do .....
	Dentler, C. E	....do .....

A re-arranged list of officers of infantry below the grade of major, etc.—Continued.

No.	Name.	First lieutenants: Date of commissions considered.	No.	Name.	First lieutenants: Date of commissions considered.
	FIRST LIEUTENANTS—cont'd.			FIRST LIEUTENANTS—cont'd.	
	Thompson, G. K	June 15, 1884		*Buffington, A. P*	Oct. 30, 1884
	Styer, H. D	do		*Beckhurts, C. L*	do
	Ayer, W. D	do		*Moore, T. W*	do
	Noble, R. H	do		*Stevens, R. R*	do
	Shanks, D. C	do		*Krüg, F. V*	do
	Morse, B. C	do		*Blow, W. N., jr*	do
	Reichmann, C	Aug. 4, 1884		*Anderson, J. T., jr*	do
	Frost, A. S	do	295	Anderson, R. H	do
	Ferris, F. O	do		*Benjamin, E. E*	do
	Ruthers, G. W	do		*Pardee, W. J*	do
	Roudiez, L. S	do	296	Penrose, C. W	do
	Wren, W. C	Oct. 30, 1884			

NOTE.—Through a clerical error the names of first lieutenants Lynch, E., Cushman, H., Leyden, J. A., Ducat, A. C., jr., were omitted in this copy and have been interlined in their proper places; also, French, W. E. P., Tully, R., Bowen, W. H. C., which will alter some of the numbers of those following.

[First indorsement.]

FORT ABRAHAM LINCOLN, N. DAK.,
June 7, 1890.

Respectfully forwarded *approved*.
This is the only way justice can be done to all.

B. C. LOCKWOOD,
Captain Twenty-second Infantry, Commanding Company I.

[Second indorsement.]

OFFICE of COMMANDING OFFICER,
FORT ABRAHAM LINCOLN, N. DAK.,
June 8, 1890.

Respectfully forwarded to the adjutant-general Department of Dakota.
There is no doubt that the re-arrangement, as shown by Lieutenant Root would be but justice to a majority of the officers concerned. Lieutenant Root deserves credit for the ability shown in the preparation of this paper.

WM. H. POWELL,
Major, Twenty-second Infantry, Commanding Post.

[Third indorsement.]

HEADQUARTERS DEPARTMENT DAKOTA,
St. Paul Minn., June 13, 1890.

Respectfully forwarded to the assistant adjutant-general, headquarters Division of the Missouri.

THOS. H. RUGER,
Brigadier-General, Commanding.

[Fourth indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI,
Washington D. C., June 18, 1890.

Respectfully forwarded to the Adjutant-General of the Army.

J. M. SCHOFIELD,
Major-General, Commanding.

[Fifth indorsement.]

Respectfully submitted to the Major-General Commanding.

C. McKEEVER,
Acting Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *June* 18, 1890.

[Sixth indorsement.]

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, June 21, 1890.

In view of action taken in the past and of pending legislation the Major-General Commanding does not consider that it will be wise to re-open the question.

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Seventh indorsement.]

ADJUTANT-GENERAL'S OFFICE,
June 21, 1890.

Respectfully submitted to the Secretary of War.

C. McKEEVER,
Acting Adjutant-General.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 425.

COMPILATION OF UNDELIVERED LAND PATENTS.

LETTER

FROM

THE ACTING SECRETARY OF THE INTERIOR,

TRANSMITTING

A copy of the report of the Commissioner of the General Land Office, with certain inclosures, in reply to a resolution of the House of Representatives of the 6th instant, requesting information as to the persons or firms who had compiled a list of the original undelivered land patents in said office, and by what authority it was done.

JUNE 26, 1890.—Referred to the Committee on Public Lands.

DEPARTMENT OF THE INTERIOR,
Washington, June 25, 1890.

SIR: I have the honor to acknowledge the receipt of a resolution of the House of Representatives, dated the 6th instant, as follows:

Resolved, That the Secretary of the Interior be, and he hereby is, requested to inform the House whether any person or firm has been furnished or allowed to compile from the files and record of the General Land Office a list and description of the undelivered land patents now in said office, and, if so, the name of such person or firm, and why, and by what authority, and at whose request the same was furnished or allowed to be compiled.

In response to the inquiry therein I transmit herewith a copy of the report of the Commissioner of the General Land Office to me, dated the 19th instant, with the inclosures referred to therein.

Very respectfully,

GEO. CHANDLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 19, 1890.

SIR: I have received by reference from the First Assistant Secretary a copy of a resolution by the House of Representatives, dated the 6th instant, requiring the Secretary of the Interior to inform the House

"whether any person or firm has been furnished or allowed to compile from the files and records of the General Land Office a list and description of the original undelivered land patents now in said office, and, if so, the name of such person or firm, and why, and by what authority, and at whose request the same was furnished or allowed to be compiled," with request for report in duplicate.

In reply, I have the honor to state that an inquiry of similar purport was made by the United States Senate on the 14th ultimo, and response was made by Acting Commissioner Stone on May 29, 1890. As that officer was entirely cognizant of all the circumstances connected with the authorization in question (which was made September 14, 1889, prior to my connection with the office), I beg leave to respond to the resolution of the House of Representatives by quoting Mr. Stone's communication in response to the Senate resolution, as follows:

> While I was Acting Commissioner, an application of Mr. H. W. Combs, T. S. Constantine, and T. H. McKee was made for permission to list the undelivered patents on file in this office, and, as agreed upon by conference with the Assistant Secretary of the Interior, and supported by his recommendation as to their character and standing, I authorized the above persons, under the firm-name of H. W. Combs & Co., to make such list. A copy of the letter of the Assistant Secretary, and of my letter conveying the authority, is hereby inclosed, and the work of listing was done by a force of copyists employed by said firm.

After assuming the duties of Commissioner, I allowed the completion of the lists.

Very respectfully,

LEWIS A. GROFF,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C.

GENTLEMEN: You have the consent of the General Land Office in securing to present owners of lands the patents therefor, which have been from various causes retained in this office instead of being delivered to them or their grantors. From inquiry carefully made, I believe your firm to be reputable and responsible and I regard your enterprise as legitimate and laudable. I recommend your work as at once beneficial to the Government in relieving this office of such a burden and at the same time rendering to owners of land a great service in the perfection of their titles.

Very truly,

W. M. STONE,
Assistant Commissioner, General Land Office.

Messrs. H. W. COMBS, T. S. CONSTANTINE, and T. H. MCKEE.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., November 30, 1889.

GENTLEMEN: I have received your letter of November 29, with circulars inclosed, asking permission to refer to me as to your character and standing, and it gives me pleasure to say that you have my permission to so refer.

Very truly yours,

CYRUS BUSSEY,
Assistant Secretary.

Messrs. H. W. COMBS & CO.,
Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 426.

INCREASED CLERICAL FORCE IN WAR DEPARTMENT.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of War of the 25th instant, submitting additional estimates of appropriations for increased clerical force, etc., required by the Record and Pension Division, War Department.

JUNE 26, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *June* 26, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of War of the 25th instant, submitting additional estimates of appropriations for increased clerical force, etc., required by the Record and Pension Division, War Department.

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER, HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT, *June* 25, 1890.

SIR: I have the honor to forward for transmission to Congress, an estimate ($194,015) of appropriation for increased clerical force, etc., required by the Record and Pension Division, War Department.

Respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1891, by the War Department.

RECORD AND PENSION DIVISION OF THE WAR DEPARTMENT.

Salaries, Record and Pension Division:	
Five clerks of class four (submitted)	$9,000
Ten clerks of class three (submitted)	16,000
Twenty-five clerks of class two (submitted)	35,000
Forty clerks of class one (submitted)	48,000
Twenty clerks at $1,000 each (submitted)	20,000
Fifty copyists at $900 each (submitted)	45,000
Four messengers at $840 each (submitted)	3,360
Five assistant messengers at $720 each (submitted)	3,600
Two watchmen at $720 each (submitted)	1,440
Two laborers at $660 each (submitted)	1,320
Total	182,720

NOTE.—By order of July 3, 1889, the Secretary of War formed a division in his office, composed of clerks and employés withdrawn from several of the bureaus of the War Department known as the Record and Pension Division, and in view of the great increase of work which is likely to be thrown upon this division by pending legislation, it seems necessary that an increase should be made in its official force proportionate to that asked for by the Pension Office. That office must obtain from the War Department the record evidence of service upon which to adjudicate the claims presented to it, and any increase in the force of that office should be met by a corresponding increase of the force of the Record and Pension Division of the War Department, in order that the calls of the Pension Office for evidence of the service of claimants may be promptly answered.

It is believed that the above addition to its official force will enable the Record and Pension Division to meet any demands which may be made upon it by the enactment of the pending bill, and will obviate the necessity of suspending the important work of card-indexing and preserving the records of the volunteer army, which through years of constant handling have become so worn and dilapidated as to render necessary that the most vigorous measures be taken to prevent their total destruction, and to preserve for the future the valuable information which they contain.

MISCELLANEOUS.

Stationery, War Department:	
Stationery for the office of the Secretary of War, and for the use of the proposed increased force of the Record and Pension Division (submitted)	6,500
Contingent expenses, War Department:	
For one hundred desks (No. 1 black walnut, single), at $17.95 each (submitted	1,795
For one hundred chairs, at $6 each (submitted)	600
Total	2,395

NOTE.—The furniture estimated for will be required for the use of the proposed increased force of the Record and Pension Division.

Rent of buildings, War Department:	
For the rental of a suitable building for the use of the proposed increased force of the Record and Pension Division at an estimated cost of $200 per month (submitted)	2,400

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 427.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A list of judgments rendered by the Court of Claims.

JUNE 27, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 27, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a list of the judgments rendered by the Court of Claims, amounting to $137,854.60, which have been presented to this Department and require an appropriation for their payment.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATITES.

List of judgments of the Court of Claims.

No.	Name of claimant.	Date of judgment.	Amount.	When presented for payment.	When payable if not appealed.	Nature of claim.
14541	Charles C. Waters	Jan. 11, 1886	*a*$320.00	Jan. 28, 1886	(*b*)	Counsel fees under Sec. 824, R. S.
12934	John A. Walsh	Apr. 12, 1886	3,167.11	Feb. 12, 1890	(*c*)	Mail transportation.
14748	John C. Guy	Dec. 2, 1889	168.00	Feb. 13, 1890	Mar. 2, 1890	Under contract to furnish grain.
15449	Charles J. Nourse, jr., as assignee of Gouverneur Paulding, Gouverneur Kemble, James N. Paulding, and Peter Kemble, composing the firm of Paulding, Kemble, & Company.	....do	4,998.80	Mar. 8, 1890	... do	Certain compensation for improved fire-arms furnished under contract.
15586	John S. Mosby	Mar. 12, 1890	11,783.50	Mar. 19, 1890	(*d*)	Fees as U. S. consul.
16369	W. Elwell Goldsborough	Dec. 9, 1889	324.84	....do	Mar. 9, 1890	Do.
16236	Frederick T. Dubois	Mar. 10, 1890	3,515.68	Mar. 21, 1890	June 8, 1890	Fees as U. S. marshal.
16242	Catherine C. Crygier, administratrix of John U. Crygier	Apr. 7, 1890	598.60	Apr. 8, 1890	July 6, 1890	Pay as officer U. S. Navy.
16272	Paul Ravesies	....do	24.20	....do	....do	Fees as U. S. commissioner.
16279	John R. Musick	....do	15.00	....do	....do	Do.
16317	Charles G. Hornor	....do	30.00	....do	....do	Do.
16338	John H. Kimmons	....do	65.35	....do	....do	Do.
16367	Delafield DuBois	....do	168.00	....do	....do	Do.
15688	Green H. Haigler	....do	178.00	Apr. 9, 1890	do	Do.
14959	A. Q. Keasbey	Mar. 31, 1890	75.00	....do	June 29, 1890	Counsel fees.
15707	William L. Bryan	....do	201.20	....do	....do	Fees as U. S. commissioner.
16420	Samuel Henry	....do	604.45	....do	... do	Do.
16726	Charles C. Waters	....do	90.00	....do	....do	Fees as U. S. attorney.
14842	Walter J. Warder	Mar. 3, 1890	3,450.00	Apr. 11, 1890	June 1, 1890	Rent of building at Chicago, Ill., for post-office purposes.
15771	Scarborough A. Norris	Apr. 14, 1890	27.00	Apr. 21, 1890	July 13, 1890	Fees as U. S. commissioner.
15782	Joseph M. Stafford	....do	355.10	....do	....do	Do.
16306	William J. Gaudin	....do	165.00	... do	... do	Do.
16653	Thomas Deaton	....do	80.00	....do	....do	Do.
15710	Harvey Cabaniss	Apr. 7, 1890	101.50	Apr. 22, 1890	July 6, 1890	Do.
15646	J. M. Stafford	Apr. 14, 1890	726.60	....do	July 13, 1890	Do.
15787	John H. Wallace	Mar. 17, 1890	220.20	....do	June 15, 1890	Do.
16274	William D. Ramey	Apr. 21, 1890	210.00	Apr. 23, 1890	July 20, 1890	Do.
16626	James M. Brown	....do	160.00	....do	... do	Do.
15775	Charles M. Dennison	Apr. 22, 1890	6,998.68	Apr. 30, 1890	July 21, 1890	Compensation as chief supervisor of election.
14620	Jonathan C. Tipton	Apr. 28, 1890	87.00	....do	July 27, 1890	Fees as U. S. commissioner.
15784	John T. Patterson	....do	260.10	....do	... do	Do.
14443	Frederick Wetzel	Apr. 7, 1890	400.00	May 5, 1890	July 6, 1890	Damages to land by reason of tunnel, District of Columbia.
16411	Alfred T. Dillard	May 5, 1890	280.00	May 7, 1890	Aug. 3, 1890	Fees as U. S. commissioner.
16621	Daniel N. Cooper	...do	1,503.53	May 8, 1890	....do	Do.
16734	George H. Scidmore	May 27, 1890	1,364.50	May 28, 1890	Aug. 25, 1890	Fees as U. S. consul.
14492	William E. Henry and A. F. Kistler, under firm name of William E. Henry & Company.	Apr. 28, 1890	341.25	....do	July 27, 1890	Commissions on proprietary stamps purchased.

16453	William H. Bliss	May 26, 1890	1,320.00	May 29, 1890	Aug. 24, 1890	Compensation as special assistant U. S. attorney.
14612	Frank Hume	May 3, 1886	117.60	Aug. 27, 1886	(e)	Goods furnished Government Hospital for Insane.
15645	W. G. B. Morris	May 26, 1890	682.20	June 3, 1890	Aug. 24, 1890	Fees as U. S. commissioner.
15683	Edwin K. Cunningham	....do	1,033.10	....do	... do	Do.
15711	Elijah F. Hall	....do	179.95	....do	....do	Do.
16438	W. H. Faucett	....do	994.15	....do	... do	Do.
15629	Adolph Marix	June 2, 1890	373.32	June 4, 1890	Aug. 31, 1890	Longevity pay as U. S. naval officer.
15654	G. G. Eaves	... do	342.60	June 9, 1890	....do	Fees as U. S. commissioner.
16382	Frank Ives	Apr. 22, 1889	f85.00	Apr. 23, 1889	(b)	Do.
16366	Richard M. Jones	Jan. 27, 1890	g76.00	Mar. 6, 1890	(b)	Do.
14784	George Truesdell	June 9, 1890	3,000.00	June 10, 1890	Sept. 7, 1890	Damages to property, etc.
14801	Finnella M. Alexander and Sophia L. Little	....do	1,500.00	....do	....do	Do.
15770	Joseph Ricketts	....do	599.30	....do	....do	Fees as U. S. commissioner.
16271	John H. Kimmons	....do	35.00	....do	....do	Do.
16278	Lovell H. Webb	....do	95.00	....do	....do	Do.
16365	Grafton C. Kennedy	....do	38.20	....do	....do	Do.
16310	Patrick Maloney and Andrew Gleason	June 12, 1890	47,996.78	June 26, 1890	Sept. 10, 1890	Extra labor, material, etc., under their contract, for the construction of reservoir at Washington, D. C.
15563	M. S. and J. M. Smith, executors of W. B. Smith, deceased	Apr. 21, 1890	1,282.00	....do	July 20, 1890	Fees as U. S. commissioner.
16605	William J. Gaudin	June 9, 1890	70.00	June 10, 1890	Sept. 7, 1890	Do.
16650	Harvey S. Thompson	....do	189.00	....do	....do	Do.
16659	Lee Jarvis	....do	35.00	....do	....do	Do.
15759	Stimson J. Brown	....do	1,945.00	June 12, 1890	....do	Longevity pay as U. S. naval officer.
16212	Charles A. Adams	May 29, 1890	664.66	....do	Aug. 27, 1890	Do.
16213	Robert M. G. Brown	....do	350.14	....do	....do	Do.
16214	James K. Cogswell	....do	747.95	....do	....do	Do.
16216	Royal R. Ingersoll	....do	350.14	....do	....do	Do.
16217	John C. Irvine	....do	578.08	....do	....do	Do.
16218	Robert T. Jasper	....do	458.08	....do	....do	Do.
16219	Theodore B. M. Mason	....do	471.23	....do	....do	Do.
16220	Edwin K. Moore	....do	539.71	....do	....do	Do.
16221	Jefferson F. Moser	....do	420.27	....do	....do	Do.
16222	Nathan E. Niles	....do	796.71	....do	....do	Do.
16223	Charles F. Norton	....do	896.98	....do	....do	Do.
16224	E. S. Prime	....do	779.18	....do	....do	Do.
16225	R. P. Rodgers	....do	448.77	....do	....do	Do.
16226	J. R. Selfridge	....do	641.64	....do	....do	Do.
16227	Seaton Schroeder	....do	459.18	....do	....do	Do.
16228	W. O. Sharrer	....do	538.08	....do	....do	Do.
16230	Arthur B. Speyers	....do	772.05	....do	....do	Do.
16231	T. H. Stevens	....do	896.98	....do	....do	Do.
16232	Charles A. Stone	....do	428.49	....do	....do	Do.
16233	William C. Strong	....do	784.11	....do	....do	Do.
16234	A. V. Wadhams	....do	539.71	....do	....do	Do.

a Interest payable from January 28, 1886, until paid.
b Appealed by United States. Mandate of Supreme Court affirming judgment.
c Appealed by United States. Now payable on mandate of Supreme Court dismissing the appeal.
d Appealed by United States. Mandate of Supreme Court.
e Appealed by claimant. Mandate of Supreme Court.
f Interest payable from April 23, 1889, until paid.
g Interest payable from March 6, 1890, until paid.

List of judgments of the Court of Claims—Continued.

No.	Name of claimant.	Date of judgment.	Amount.	When presented for payment.	When payable if not appealed.	Nature of claim.
16235	Ambrose B. Wyckoff	May 29, 1890	$456.99	June 12, 1890	Aug. 27, 1890	Longevity pay as U. S. naval officer.
16289	John A. B. Smith	June 4, 1890	505.06	....do	Sept. 2, 1890	Do.
16304	Charles P. Howell	Apr. 14, 1890	581.25	....do	July 13, 1890	Do.
16351	William J. Barnette	May 29, 1890	490.96	....do	Aug. 27, 1890	Do.
16352	James G. Green	May 7, 1890	796.08	....do	Aug. 5, 1890	Do.
16353	Thomas C. McLean	May 29, 1890	483.29	....do	Aug. 27, 1890	Do.
16354	Charlotte L. Noyes, administratrix of Boutelle Noyes, deceased	....do	518.36	....do	....do	Do.
16355	Hamilton M. Tallman	....do	2,317.21	....do	....do	Do.
16356	Richard Wainwright	....do	640.45	....do	....do	Do.
16469	Hobert L. Tremain	....do	458.33	....do	....do	Do.
16649	R. E. Withers	May 27, 1890	2,732.49	....do	Aug. 25, 1890	Refund of certain fees as U. S. consul.
16728	Jay F. Shearman	June 9, 1890	197.00	....do	Sept. 7, 1890	Fees as U. S. commissioner.
15762	James Hughes	....do	1.976.25	June 13, 1890	....do	Work on Pension Building.
14533	George Allman	....do	3,083.81	June 17, 1890	(*a*)	Mail transportation.
16460	John W. Burton	....do	448.20	June 19, 1890	Sept. 7, 1890	Fees as U. S. commissioner.
15647	Henry C. Goodell	....do	170.75	....do	....do	Do.
15677	Robert Barber	....do	253.00	....do	....do	Do.
15716	James C. Anderson	....do	310.00	....do	....do	Do.
15699	Bushrod W. Bell	....do	1,076.35	....do	....do	Do.
15687	William G. Bogle	....do	807.25	....do	....do	Do.
16030	Wyatt M. Elliott	....do	711.94	....do	....do	Fees as U. S. clerk.
16309	James E. Reed	....do	1,230.05	....do	....do	Do.
	Total	.....	137,854.60			

a Appealed by United States. Mandate of Supreme Court affirming judgment.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 428.

ADDITIONAL ESTIMATES OF DEFICIENCIES IN APPROPRIATION FOR THE DISTRICT OF COLUMBIA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Additional estimates of deficiencies in appropriations for the service of the District of Columbia for 1890 *and prior years, as submitted by the Commissioners, amounting to* $27,796.31.

JUNE 28, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 24, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, additional estimates of deficiencies in appropriations for the service of the District of Columbia for 1890 and prior years, as submitted by the Commissioners, amounting to $27,796.31.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, by the Commissioners of the District of Columbia.

Detailed objects of expenditure, and explanations.		Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation
Salaries and contingent expenses, offices of the District of Columbia.			
Executive office, contingent expenses:			
To pay Lanahan & Bro., horseshoeing (being for the service of the fiscal year 1890)		$6.75	
Assessor's office, contingent expenses:			
To pay the recorder of deeds for furnishing records of transfers of real estate (being for the service of the fiscal year 1890)		276.36	
Attorney's office, contingent expenses:			
To pay Washington Gas-Light Company, gas	$6.00		
Johnson Brothers, fuel	5.69		
Byron S Adams, blanks	27.00		
William J. C. Dulany, ink	8.16		
George W. Knox, hauling	2.00		
W. H. Morrison, books	9.81		
		58.66	
(Being for the service of the fiscal year 1890.)			$341.77
Streets, District of Columbia.			
Constructing county roads: (To complete pavement of Fourteenth street extended).			
To pay the Barber Asphalt Paving Company for removing macadam from Fourteenth street extended. (Being for service of fiscal year 1890)			757.33
Public schools.			
Contingent expenses:			
To pay the Public Printer, printing and binding reports of the board of school trustees for 1889 (being for the service of the fiscal year 1890)		353.15	
Fuel:			
To pay Kennedy Brothers, coal	$2,610.07		
Johnson Brothers, fuel	408.18		
		3,018.25	
Instruction in manual training:			
To pay M. W. Beveridge, furniture	31.21		
Francis Miller, oil and putty	.92		
Z. D. Gilman, chemicals	.03		
J. L. Hammack, groceries	22.87		
		55.03	
(All being for the service of the fiscal year 1890.)			3,426.43
To pay W. C. Van Wickle, tuning piano	2.00		
E. G. Wheeler, brushes and brooms	19.12		
			21.12
(Being for the service of the fiscal year 1889.)			
Buildings and grounds, public schools.			
Purchase of sites and erection of buildings, sixth division:			
To pay George O. Cook, for construction of school buildings	$456.31		
Charles T. Carter, hardware	3.19		
			459.50
(All being for the service of the fiscal year 1890.)			
Health Department.			
Contingent expenses:			
To pay William J. C. Dulany, stationery (being for the service of the fiscal year 1890)			8.79
Telegraph and telephone service.			
General supplies:			
To pay Standard Under-ground Cable Company for repairs and cable (being for the service of the fiscal year 1890)			637.48
Courts.			
Contingent expenses:			
To pay S. C. Mills, justice of the peace, compensation for acting as judge of the police court during the sickness of said judge, seven days, at $10 per diem (being for the service of the fiscal year 1890)		70.00	
Witness fees:			
To pay for witness fees per bills on file in the office of the auditor of the District of Columbia, and for others known to be outstanding (being for the service of the fiscal year 1890)		1,132.50	
Writs of lunacy:			
To pay Byron S. Adams, blanks (being for the service of the fiscal year 1890)		6.75	
			1,209.25

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, *by the Commissioners of the District of Columbia*—Continued.

Detailed objects of expenditure, and explanations.		Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation
Washington Asylum.			
Contingent expenses:			
To pay R. A. Golden, fish	$31.25		
Jackson & Co., groceries	69.20		
John A. Baker, groceries	72.70		
Woodward & Lothrop, dry goods	139.01		
F. P. May & Co., hardware	61.48		
W. L. King & Bro., leather	53.61		
W. H. Butler, paints	7.00		
Danenhower & Co., forage	505.61		
Washington Gas-Light Company, gas	40.77		
Frank Hume, groceries	365.33		
R. I. Varnell, beef	309.90		
J. C. Ergood & Co., groceries	202.17		
Tschiffely & Evans, drugs	12.75		
James L. Barbour & Son, groceries	76.21		
B. Rich & Sons, shoes	86.70		
Rowland A. Robbins, brooms	11.89		
Amount of bills outstanding, as estimated by the superintendent	5,027.41		
		----------	$7,072.99
(All being for the service of the fiscal year 1890.)			
Miscellaneous expenses.			
General advertising:			
To pay the Philadelphia Inquirer, advertising proposals for cement		----------	19.05
(Being for the service of the fiscal year 1889.)			
To pay the Evening Star Newspaper Company, advertising delinquent-tax list	2,760.50		
The Washington Post Company, advertising delinquent-tax list	2,760.50		
		$5,521.00	
(Being for the service of the fiscal year 1890.)			
Printing, checks, damages, etc.:			
To pay the Public Printer, printing and binding Annual Report of the Commissioners, District of Columbia, for 1888–'89	308.28		
Samuel C. Mickum, signs	2.00		
Rowland A. Robbins, mops	3.80		
Frank Hume, soap	.90		
J. B. Bryan & Bro., groceries	3.87		
Armor & Co., badges	4.00		
James L. Barbour & Son, soap	12.00		
Danenhower & Co., forage	54.33		
M. W. Beveridge, dusters	10.62		
E. F. Brooks, globe	1.80		
Charles T. Carter, hardware	1.46		
William E. Stockett, book	18.00		
Byron S. Adams, blanks	5.50		
Thomas S. Dowling, commission on sales	.77		
E. Morrison, envelopes	16.00		
William Ballantyne & Son, stationery	.85		
The Law Reporter Co., blanks	16.46		
E. G. Wheeler, brooms	2.69		
John McDermott & Bro., repairs	20.50		
Washington Gas-Light Co., gas	229.02		
Georgetown Gas-Light Co., gas	16.20		
Great Falls Ice Co., ice	42.00		
John H. Gheen, livery	20.00		
F. Ehrhardt, repairs	2.25		
James B. Archer, shoeing horses	9.00		
Samuel Steward, hauling	3.15		
E. B. Fadeley, livery	40.00		
Lansburgh & Bro., towels	7.40		
Judd & Detweiler, printing	303.21		
J. Baumgarten & Son, badges	35.00		
William Lyles, care of horses	80.00		
C. B. Robinson, medicine	1.40		
Emily Francis, washing	15.72		
Mary C. Olliffe, washing	15.64		
Knowles & Wilson, repairs	4.85		
W. H. Butler, glass	1.20		
		1,309.87	6,830.87
(All being for the service of the fiscal year 1890.)			

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, *by the Commissioners of the District of Columbia*—Continued.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation
Water Department.		
General expenses:		
To pay T. S. Burr, salary, July 1 to July 17, 1888 (being for the service of the fiscal year 1889)		$4 58
Contingent expenses:		
To pay the Sanitary Engineer and Construction Record, advertising (being for the service of the fiscal year 1889)		27. 60
Judgments, District of Columbia.		
For the following judgments *vs.* the District of Columbia, viz:		

	Judgment.	*Interest.*	*Costs.*
Griffith M. Hopkins	$660. 00		$20. 50
Robert E. Hall	. 01		31. 35
Michael McCormick	266. 64	$272. 00	107. 35
William C. Murdock, use of Carrie B. Evans, administratrix	2, 750. 00		31. 65
The United States ex rel. Harvey Spalding			19. 45
William B. Hartley	600. 00		9. 25
Frederick S. Mechlin	200. 00		9. 85
C. Maurice Sioussa	600. 00		9. 10
Robert McMurray	200. 00		9. 85
Samuel H. Bacon	600. 00		9. 10
Willie L. Arnold	400. 00		9. 85
Sophia H. Spalding			27. 60
Harvey Spalding			28. 90
Harvey Spalding			27. 70
Harvey Spalding			26. 50
Harvey Spalding			25. 70
Harvey Spalding			27. 20
	6, 276. 65	272. 00	430. 90

	6, 979. 55
With a further sum sufficient to pay the interest on said judgments from the date the same became due until date of payment.	
Total	27, 796. 30

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 429.

ILLINOIS AND MISSISSIPPI CANAL.

COMMUNICATION

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A letter from the Chief of Engineers containing the final report of Capt. W. L. Marshall, Corps of Engineers, upon the location, plans, and estimates of the Illinois and Mississippi Canal in further compliance with certain provisions of the river and harbor acts of August 11, 1888.

JUNE 28, 1890.—Referred to the Committee on Rivers and Harbors.

WAR DEPARTMENT,
Washington, June 27, 1890.

The Secretary of War has the honor to transmit to the House of Representatives, in connection with his letter of April 8, 1890, published as House Executive Document No. 316 of the present Congress, a letter from the Chief of Engineers, dated the 26th instant, transmitting the final report, dated the 21st instant, of Capt. W. L. Marshall, Corps of Engineers, upon the location, plans, and estimates of the Illinois and Mississippi Canal in further compliance with the following provisions of the river and harbor act of August 11, 1888:

The Secretary of War is further authorized and directed to cause to be located, on such line as he may approve, a canal from the Illinois River at or near the town of Hennepin to the Mississippi River at or above the mouth of Rock River, together with a necessary feeder for the same, said canal to be known as the Illinois and Mississippi Canal, and to be 80 feet wide at the water-line and to have a depth of not less than 7 feet of water, with locks 170 feet long and 30 feet wide. The Secretary of War shall cause to be made and submitted to Congress detailed plans and estimates for the construction of said canal and feeder; the necessary expense of making such location, plans, and estimates shall be paid out of the unexpended balance on hand heretofore appropriated for the survey of said canal by the river and harbor act, approved August 5, 1886, for the examination of said canal and of the Illinois and Michigan Canal by a board of engineers.

REDFIELD PROCTOR,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATITES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., June 26, 1890.

SIR: On the 1st of April last I had the honor to submit a copy of a preliminary report, dated March 27, 1890, by Capt. Wm. L. Marshall, Corps of Engineers, upon location of the Illinois and Mississippi Canal. This preliminary report was transmitted by the Secretary of War to Congress, and printed in House Ex. Doc. No. 316, Fifty-first Congress, first session.

In further compliance with the provisions of the river and harbor act of August 11, 1888, directing the location of a canal from the Illinois River at or near the town of Hennepin to the Mississippi River at or above the mouth of Rock River, etc., I have now the honor to submit the final report, dated June 21, 1890, by Capt. W. L. Marshall, Corps of Engineers, upon the location, plans, and estimates of the Illinois and Mississippi Canal, heretofore better known as the Hennepin Canal.

The total cost of the work as given in detail in tables accompanying Captain Marshall's report is, with 10 per cent. added for contingencies, as follows:

For the main line	$5,067,562
For the feeder line	1,858,398
Total	6, 25,960

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Brig. Gen., Chief of Engineers.

Hon. REDFIELD PROCTOR,
Secretary of War.

FINAL REPORT UPON LOCATION, PLANS, AND ESTIMATES OF THE ILLINOIS AND MISSISSIPPI CANAL.

UNITED STATES ENGINEER OFFICE,
Chicago, Ill., June 21, 1890.

GENERAL: I have the honor to submit the following final report upon the location, plans, and estimates of the Illinois and Mississippi Canal, heretofore better known as the Hennepin Canal.

This work has been done in accordance with the river and harbor act of Congress, of August 11, 1888.

A preliminary report upon the work was submitted by me March 27, 1890, which contains the item of that act relating to and directing this work, statements concerning the conduct of the work, and preliminary estimates based upon partially completed plans and estimates.

Soon after the passage of the act of August 11, 1888, prior to submitting a project for the expenditure of the money appropriated, a letter was forwarded by me to the Chief of Engineers, seeking instructions as to the will of the Secretary of War concerning the locus of the proposed canal, a copy of which letter, with its indorsements, is herewith appended.

By the indorsement of the Secretary of War upon this letter, dated October 27, 1888, the "Rock Island route," one of the three routes previously surveyed, was designated as the route approved by him under the act, and the word "locate" as used in the act was defined.

Of the "Rock Island routes" previously surveyed there are two, viz, (1) via the Green River and (2) via Penney's Slough, the former route

having been surveyed in 1882 and the latter in 1885, both under direction of Maj. W. H. H. Benyaurd,Corps of Engineers,and reported upon by Major Benyaurd in the Report of the Chief of Engineers in 1883, p. 1754, and by Maj. Thos. H. Handbury in 1886, p. 1708, respectively.

Of these two routes that via Penney's Slough, as giving the shortest extent of canal and the greater proportion of more capacious slackwater navigation in Rock River, was selected as the most advantageous for the plans and estimates herewith submitted.

The work upon the plans and estimates under the project submitted by this office to the Chief of Engineers November 28, 1888, and approved by him December 3, 1888, began on January 1, 1889, and has been prosecuted continuously from that time to the present, with a few interruptions due to employment of the personnel upon the current works of construction in progress in this district.

The assistants engaged upon the work, all of whom have rendered valuable and satisfactory aid to the officer in charge, are:

On location and estimates of earthwork, Mr. G. A. M. Liljencrantz, in charge, who also conducted the survey of 1885 via Penney's Slough, and the additional examinations made under my directions in 1889, Mr. John Ericson, Mr. J. C. des Granges, and Mr. C. V. Brainard on mechanical constructions and estimates therefor, Mr. J. C. des Granges. On topography and lettering maps and drawings, Mr. G. A. M. Liljencrantz, Mr. J. C. Nickson, Mr. Hermann Heinze, Mr. Paul Heinze.

All mechanical constructions on the route were designed by myself, and drawn by Mr. J. C. des Granges, who also worked out many of the details for the same.

The results of this work are shown in the atlas,* submitted herewith, consisting of eighty sheets, 30 inches by 40 inches in size, including title page, index to maps, tables of detailed estimates of cost, and seventy-seven sheets showing the location and detailed plans for the work.

The force of assistants above named, aided by Mr. L. L. Wheeler, civil engineer, since March, 1890, have been engaged upon this work, excluding holidays and days employed upon the current works in progress in the district—which occasional employment has been necessary to avoid multiplication of employés and enlargement of the office accommodations—an average time for the full force of two hundred and twenty-eight days.

In this time eighty sheets have been prepared, drawn, traced, and all drawings of constructions multiplied by blue-printing; the works have been designed; nearly one-half the main line re-surveyed and re-plotted; a preliminary report prepared and submitted; computations and estimates made, at the rate as shown, of one atlas sheet complete with estimates every two and eighty-five one-hundredths days.

While, therefore, the time occupied by this work has been apparently long, yet judged by the results the progress has been rapid, and consequently satisfactory to the officer in charge.

SURVEYS.

The surveys upon which these present detailed plans and estimates are based are referred to in the preliminary report already submitted, as follows:

(1) Maj. W. H. H. Benyaurd, Corps of Engineers. (See Annual Report of Chief of Engineers, U. S. Army, 1883, page 1754.) On page 1780 of this report will be found also a discussion of the general benefits to be derived from the construction of this canal.

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* Omitted.

(2) Maj. Thomas H. Handbury, Corps of Engineers, U. S. Army. (See Annual Report of Chief of Engineers, U. S. Army, for 1886, page 1708.)

In 1886 a Board of Engineers was constituted under the river and harbor act approved August 5, 1886—

To examine, in all their relations to commerce, the Illinois and Michigan Canal and the proposed Henuepin Canal, to consider their value and all other matters connected with their usefulness to navigation, and shall report upon * * * the construction of the Hennepin Canal.

* * * * * * *

The report of this Board is contained in the report of the Chief of Engineers, U. S. Army, for 1887, page 2125, *et seq.*

The three reports named contain full and detailed statistics and discussions of the commercial importance of this route.

Early in the progress of the present investigation it was seen that the previous surveys, although of sufficient detail to justify a close preliminary comparative estimate, and discussion of the relative costs of the respective routes, and to indicate with reasonable certainty the route that as an engineering question would be least costly and most advantageous, yet were not in sufficient detail to allow definite and final plans for the necessary mechanical constructions and close estimates of cost for the final work, nor were the means at hand sufficient to allow all information required to be obtained by the present investigation.

Additional surveys, however, were made as far as our means would allow, as follows: (1) From the Illinois River to the summit level, via the valleys of Bureau, Pond, and Cow-catcher Creeks to the summit level; (2) at the mouth of Rock River; (3) in the vicinity of the head of the feeder. Elsewhere throughout the line the data is meager, but such as is usually considered sufficient for preliminary estimates, and the plans and estimates herewith submitted must be understood to represent the best results suggested by preliminary surveys along a definite surveyed line covering too narrow an horizon to admit any material choice of location. When the work is definitely undertaken the vicinity of this line must be further examined, to better, if possible, the location shown upon the maps.

LOCATION OF THE ROUTE.

The report of Mr. G. A. M. Liljencrantz, herewith taken in connection with the reports heretofore published in the annual reports of the Chief of Engineers, U. S. Army, above referred to, and the preliminary report already submitted by me gives in detail the locus of the proposed route, and reference is made to these reports for such detail.

In short, the line of the Illinois and Mississippi Canal is from a point near the town of Hennepin, at the great bend of the Illinois River, via the valleys of Bureau, Pond, and Cow-catcher Creeks, to the summit level at the twentieth mile, ascending 204 feet through twenty-four locks, with lifts ranging from 3 feet to 10 feet each; thence to the feeder junction at the twenty-fifth mile, thence to the Rock River at Penny's Slough at the fiftieth mile; thence down Rock River 27 miles to its mouth. The descent from the summit level to the mouth of Rock River at low water in the Mississippi River is 102 feet, made by thirteen locks of from 3 to 8 feet lifts. The length of the western slope from the feeder junction to the Mississippi River is 52 miles, and of the main line of the canal 77 miles exactly, of which 50 miles is canal and 27 miles slack-water navigation in Rock River by means of locks and dams.

FEEDER ROUTE.

The feeder leaves Rock River 2½ miles below the town of Dixon, Ill., and is proposed to be of the same dimensions as the main canal, and navigable by similar boats throughout its entire extent. The dam in Rock River at the head of the feeder will extend this navigation in Rock River some 10 to 15 miles further. The feeder is 34¾ miles in length, and, with the main line and Rock River navigation created by the dams, gives a water highway of 126.75 miles in length. The location of the feeder, its slope, and capacity coincides with the line proposed in 1882, except that it is 2½ miles shorter. The reasons which led to this modification in the length of the feeder are stated in the report of Assistant Liljencrantz, herewith, and in my preliminary report.

DIMENSIONS OF THE PROPOSED CANAL AND CONSTRUCTIONS PROPOSED.

The canal and feeder are to be 59 feet wide at the bottom, 80 feet wide at the water surface, 7 feet in depth, with embankments 8 feet wide at the crown, and with side slopes of 3–2 of 1½ base to 1 vertical. These slopes are to be paved or riprapped where exposed to flowing water, and the canal trunk to be lined with 6 inches of cement concrete where the material is too porous to give a water-tight channel.

Main line.—On the main line there will be thirty-seven locks, viz: Two locks with 3-foot lift, one lock with 5-foot lift, three locks with 6-foot lift, three locks with 7-foot lift, five locks with 8-foot lift, thirteen locks with 9-foot lift, eight locks with 10-foot lift, two locks forming one combined lock of 20-foot lift, consisting of two lock-chambers combined, of 10-foot lift each.

Aqueducts.—Five aqueduct bridges, each 40 feet in width of trunk, two of which aqueducts are in combination with locks.

Dams.—Four crib-dams and one pile-dam. At the mouth of Rock River also the channel is rectified by the use of brush and stone dams, similar to those used on the Wisconsin River and on the Upper Mississippi River.

Culverts.—Forty-one culverts, viz: Five 36-inch pipe culverts, paved ends; four 36-inch pipe culverts, tumble basins or inverts; five 48-inch pipe culverts, paved ends; seven single 48-inch pipes, tumble basins; four double 48-inch pipes, paved ends; eight single 10-foot span arches; two double 10-foot span arches; five single 12-foot span arches; one aqueduct 30 feet long, single span.

Spillways.—Fifteen spillways, 300 feet long each, paved.

Sluices.—Three sluices, with controllable gates, "Taintor" or cylindrical pattern.

Weirs.—Three inflow and three overflow weirs, paved.

Bridges—Highway: Thirty-three fixed highway bridges. *Railway:* Two single-track pivot draw-bridges, two double-track pivot draws, one double-track fixed bridge.

FEEDER LINE.

Locks.—One guard-lock at head of feeder, with dam and controllable sluiceway; supply inlets, etc.

Aqueducts.—One, 70 feet wide, over Green River.

Culverts.—Thirteen single, 36-inch pipes; paved ends. Five single, 36-inch pipes; tumble basins. Two single, 48-inch pipes; tumble basins. Six double, 48 inch pipes; paved ends. One single 10-foot span arch. One single 12-foot span arch. One double 10-foot span arch. Two aqueducts, 30-foot span, each.

Bridges—highway: Twenty-one fixed highway bridges. *Bridges—railway:* Three single-track pivot railway bridges; or, in all, for both main and feeder lines, thirty-eight locks; six aqueducts; six dams; seventy-two culverts; fifty-four highway and eight railway bridges; fifteen spillways; three sluiceways, with controllable gates, and six weirs.

Detailed drawings of these various constructions, except railway and highway bridges—which are now considered as commercial articles, to be procured in the markets, and for which estimates have been secured from bridge-builders—are given in the plans and drawings submitted herewith.

DESCRIPTION OF THE VARIOUS MECHANICAL CONSTRUCTIONS.

Locks.—The locks are of dimensions specified by the law and are 170 feet in length between quoins, 30 feet in width of lock-chamber, with 7 feet of water over the miter-sills. The designs submitted where rock foundations are not known to exist are for foundations in soft earth. The designs for the locks are shown on sheets numbered 36 to 40, inclusive, 44, 46, 47, 48, 51, 54, and 56 of the accompanying atlas.

The locks are of the usual type, except the lock at Milan, which will be described hereinafter, and are of similar type to the locks built by Col. D. C. Houston, Corps of Engineers, U. S. Army, upon the Fox River, Wisconsin, as modified in details by experience.

Foundations.—Pile, concrete, and timber foundations are shown for all locks with earth foundations. The concrete and timber is about 2 feet in thickness under the lock-bottoms, except at the head and tail-bays, where there are designed to be masses of concrete 4 to 6 feet in thickness. The foundations are also sheet-piled at the heads of the locks and upon the river side of locks in Rock River above the junctions with dams.

The pile supports, though estimated for in all locks in earth foundations, will not probably be necessary for twenty-nine of the locks, which are supposed to be upon good foundations.

The tail-bays of the locks and bottom of canal are paved for a distance of 50 feet below the lock-wall. The concrete and timber grillage are covered by a double thickness of plank, and the masonry walls reared thereon.

The lock-walls are generally built with coping, 4 feet wide, and bases equal to one-half the height, less 2 feet. The walls are vertical on the chamber sides throughout their height, and also at back for 6 feet above their bases; thence to the second course below the top of the coping they are reduced in thickness gradually, by offsets. The walls are increased in thickness by the depth of the gate recesses below the lower quoins, for a distance equal to about one-half the spans of the locks, and above the gate recesses for about 6 feet. The locks terminate with short vertical wings, or return walls of sufficient thickness (3 feet) to form effective stop-walls running into the embankments. At head and foot of the locks a dry-stone revetment or splay wall gradually contracts the canal to the width of the locks.

The coping and quoins of the locks are smooth-dressed, cut stone. The facing, wherever it can be touched by boats, to be of fine-pointed masonry, to lay with three-eighths of an inch joints. Elsewhere the facing is rough-pointed masonry, or quarry-faced stone, with cut joints and beds.

The backing to be of good quality, with beds dressed to lay with

three-fourths inch joints, or of cement concrete. The dry-stone splay walls to be of ordinary rubble of good quality.

The gates of the locks are suspended flush with the top of the lock-walls (sheet No. 38), and are to be planked on the down-stream side, to avoid upward pressure due heads of water against them, as well as to preserve the horizontal arms of the gates by keeping them immersed in water, should the lock be kept habitually filled. The gates are maneuvered by spars, racks, and pinions (see sheets Nos. 36 and 38), and the locks filled under the upper miter-sill, through valves in platforms (sheet No. 37) when the lifts are sufficient, or through the gates of locks of low lift.

The locks are emptied through valves placed in the lower gates. The timber platforms have their tops below the constant water-levels, to preserve them from rot.

River locks (see sheets Nos. 48, 51) have somewhat heavier river walls, mainly to protect against ice and drift, and the coping of river walls is from 5 to 8 feet wide. The approaches to river locks are guarded by timber crib-work filled with stone, having proper drift chutes between the cribs at heads of locks. All river locks have guard walls of sufficient height to reach above the water level corresponding to the stage when boats may freely pass over the crests of the dams, but they do not reach above extreme high water, with the exception of the locks at the head of the feeder and at Milan.

Milan lock (see sheet No. 54.)—The lock at Milan, or the second lock from the Mississippi River, is of novel construction. It is located at the foot of the old canal called Sear's canal, $2\frac{1}{2}$ miles above the mouth of Rock River. This river is obstructed by sands, and it would be costly to procure by channel improvement a depth of 7 feet at low water from the mouth of the river to the lock; consequently a short stretch of canal is built by an embankment below this lock and another lock of 8.5 lift, built at the foot of Turkey Island chute, for low-water navigation. But whenever the Mississippi or Rock Rivers are from 5 to 6 feet above low water, Rock River may be navigated freely without improvement up to the Milan lock, and it is evidently an advantage to avoid the delay and inconvenience of lockage at the lower lock and the slower passage through the canal at such times.

The lock at Milan, therefore, has been designed with one set of upper gates, and at the lower extremity two exists by separate gates; one into the aforementioned low-water canal, the other into the open channel of Rock River, for use at all stages of the rivers more than 5 feet above low water.

The embankment forming the canal (sheet No. 25), below Milan, is slope-walled, but does not reach above high-water stage. It is protected against wash from overflow by its construction in this way, viz, the slope of its top is so adjusted that it is greater than the slope of Rock River, so that whenever water submerges it, it will be by back-water from below that can produce no cross-wash or overfall, and at higher stages the area of the waterway over the bank will be greater than the cross-section of the canal, and the work will then be simply a small slide slough of the river with a parallel current, which can do no injury to the canal embankment.

(2) *Canal aqueduct bridges*—(see atlas sheets numbered 60, 61, 62, 63, 65, 67, 69, and 71.)—The canal aqueduct bridges are of original design, and consist of high class masonry piers and abutments upon pile, and grillage foundations, and canal trunks with wrought iron or steel skeletons with timber linings. All iron parts are of standard commer-

cial sections and dimensions, selected from the published advertisements of the Phœnix Iron Works, and the amounts of field rivetting and other work necessitating skilled labor in assembling the parts, are reduced by the designs to a minimum. The sheet of details numbered 61 and the sheet in colors numbered 62 will show clearly the construction of these aqueducts. The particular points observed in these designs are:

First. To bring no stresses upon the masonry of the piers, other than vertical. This is effected by trussing the side frames to resolve all pressure against the aqueduct sides into vertical and horizontal stresses, the vertical to be sustained by the piers, and the horizontal stresses to be transmitted at bottom by tie rods to the opposite sides of the aqueduct trunk, where they are balanced by the corresponding water pressures. The sides of the trunks are not allowed to come in contact with the masonry piers, but the pressures are received by "I" beams, and transformed and transferred as stated, by the form of the framing of the iron skeleton.

Second. The perishable parts of the aqueducts must admit of being removed and rebuilt without interfering with the permanent framework.

As shown, all and every part of the wooden lining may be removed and rapidly replaced. There is no carpentry work required, all wooden beams and planking being of commercial forms, as well as the iron work.

Third. The piers must be of such form as to admit highway or foot bridges, if such additional structures may be desired at any of the aqueduct crossings.

The plans for the aqueducts do not contemplate immediate uses also as viaducts, but the piers are available for bridges on both sides of the structures, with very inexpensive modifications and additions. The detailed plans are so clear as to render unnecessary more itemized description in this text.

Green River aqueduct.—The crossing of Green River by the main line is difficult. The stream has very low banks, and consequently will not admit of damming to allow the canal to cross it at the same level, while at the same time the configuration of the country is such that the canal levels can neither be advantageously raised to secure sufficient head room under the aqueduct trunk nor lowered to attain the normal mid-stage level of the river. High water in Green River consequently reaches nearly to the water level in the aqueduct trunk, and it must be passed under the aqueduct on an invert. The plan of the aqueduct is shown on sheet No. 69. It is possible that further study and more elaborate surveys may indicate a more satisfactory solution of this special problem than indicated in the plans submitted.

Feeder aqueduct across Green River (see sheet No. 71.)—All the aqueducts on the main line are made 40 feet in width, or 10 feet wider than the canal locks; but to maintain the cross-section of the feeder unimpaired, this aqueduct is designed with a width of 70 feet. This width is probably excessive, and could be reduced to 60 feet without creating any material reduction in the capacity of the feeder.

Two of the aqueduct bridges on the main line are combined with locks. (See sheets numbered 59 and 63.) To prevent leakage, the connections of the aqueducts, at their abutments with the earthwork, are made safe by timber-work, well anchored and concreted.

Culverts.—There are no culverts or drains less than 3 feet in diameter, to allow examination by men. All culverts of less dimension than 30 square feet area are made of cast-iron pipes of 36 inches and 48 inches diameter, either single or double. The pipes (sheet No. 73) are buried

for one-half their diameters in concrete, to insure accurate alignment and strength, and closed at their heads by substantial rubble masonry head walls. The approaches to the pipe culverts are paved slopes; or where the water level of the canal is near the natural surface tumble basins or inverts are arranged for. When the desired discharge through culverts exceeds the capacity of two 48-inch cast-iron pipes, culverts of 10 and 12 feet arches, either single or double, are designed, or for still larger flow, aqueducts of 30 feet in width, which are classed as culverts. The masonry culverts are designed with pile, grillage, and concrete foundations, and the estimates made on that basis, although it is known that the earth is sufficient in some cases to give good foundations by paving the bottoms of the culverts. The designs for the arched culverts are shown on sheets 74 and 75. Doubtless it will be found economical to use vitrified or hard-burned brick instead of cut stone for these arches, an excellent class of such brick being attainable in this market.

Rather elaborate and expensive head walls and paved approaches are designed for the culverts throughout, so that the estimates are made on a liberal basis. The dimensions of the walls and arches of the culverts have been computed from the empirical rules given in Trautwine's Engineers' Pocket-book.

In fixing the dimensions of culverts the field-books and notes have been consulted and followed, but there is no doubt but that further investigation as to the amount of the flow of the water in ditches and streams will cause modifications in these plans. Little or nothing is known of the hydraulics of the rivers and streams encountered along this route, nor of the character of the material to be encountered, the surveys being superficial reconnaissances for preliminary purposes only.

Sluice-ways.—The canal on the east slope occupies the valley and bed of Cow-catcher Creek, near the summit, which, at times of melting snows or heavy rain-storms, not only carries off the drainage of its immediate bed, but from existing country drainage ditches receives the drainage of several square miles of the summit area. The canal also enters the bed of Pond Creek. At locks 19 and 23, where the drainage of these streams leaves the canal, therefore, fixed weirs with controllable sluice-ways (see sheet No. 41) are placed to vent high waters. The sluice-ways are closed by cylindrical gates of the "Taintor" type, 21 feet in width and 9 feet deep. The axes of rotation of these gates are excentric with the axes of the cylindrical surfaces, and below them, to cause the water-pressure to aid in opening them. They will be easily maneuvered by one man, and are similar to the constructions so sucessfully used upon the Fox River, Wisconsin, at Menasha and Appleton, but modified in details from those gates.

Sluice-ways are also provided at Locks No. 20, 21, 22, and 23, in the valley of Cow-catcher Creek, shown on the maps of the sites of these locks. (Sheets No. 42 and 43.)

Spill-ways.—In all canal levels, where the water surfaces are above the natural surface of the ground, paved spill-ways are provided for, with their crests 6 inches above the required canal levels. These spill-ways are generally 300 feet wide, formed by stop-walls at their ends, heads, and feet, and by paving over, in cement, the surfaces of notches in the canal banks. The water spilled over them will, as far as practicable, be again restored to the canal at lower levels through subsidiary feeders. The spill-ways are shown in design on sheet No. 41. The sides of each aqueduct bridge are also spill-ways, but there is an error in the drawings of the aqueducts. The trunks are to be 7 feet 6 inches in

depth instead of 7 feet only, as shown thereon, to allow 6 inches variation in the levels without wasting water.

Dams in Rock River.—The dams in Rock River are of two distinct classes: (1) Those to rectify the channel at the mouth of the river by concentrating the flow of water, and by narrowing the channel to deepen it by scour, or maintain a dredged channel; and (2), the dams necessary to deepen the channel and establish navigation in the pools created by them by raising the low-water surface.

The dams of the first class are employed at the mouth of Rock River, and are shown in plan and detail on sheets numbered 25 and 77, respectively. The dams estimated for of this class are those shown below the mouth of the Slough behind Turkey Island, and are modeled in similar constructions that have been heretofore built upon the Wisconsin and Upper Mississppi rivers with successful results. The dams shown upon the map (No. 25) may not all ultimately be adopted as necessary, it being the experience on similar work that the results following the construction of one dam indicate the location and necessity for the next one to be constructed, etc. Nor can the exact necessary length or height of the dams be determined, in the absence of any knowledge of the hydraulics of the river, or of the action of currents upon the material of the bottom. It is not likely, however, that a greater development of dams of a different character than those indicated will be used. The estimates are for dams 2 feet above low water, and constructed as indicated on sheet No. 77. The channel here will probably be dredged to the proper depth, and the dams be constructed to maintain or preserve the depths thus secured, by scour.

The dams of the second class are either pile or crib dams, or a combination of pile and crib work. At the mouth of Rock River, to close the various chutes, crib-dams are proposed, which rest upon a natural rock foundation, and which are shown in location on sheets Nos. 24 and 25, and in cross-section on sheet No. 54. To prevent sliding, this dam is set in a shallow trench, formed by removing the surface rock. The dam at Milan, across the left-hand chute, is proposed to be raised 2 feet above the crests of the dams closing the other chutes, to cause the low-water discharge to flow through the main channel, instead of part of it through the chute back of "Big Island."

These dams are of ordinary crib construction, filled with loose stone, and sheeted on the up-stream face and backed with earth to prevent leakage.

The dam at Lock 35, Rock River (see sheets 52 and 53), is also a crib-dam of 3-foot lift only, placed upon a gravel or earth foundation, sheet-piled above and below, and filled with stone. Should investigation show a uniform earth foundation of considerable depth, this dam will probably be more advantageously built of piles, as shown on sheet No. 49, for the dam at Lock 34, of 5-foot lift. The crib-dam at Lock 35 is cut down to the constant level of the lower pool for a width of 300 feet, which cut, forming a sluice-way or pass at higher stages, is closed by the simplest form of movable dam, viz: Poirée needles sustained by trestles. The banks of Rock River are so low that it has been thought advisable to put sluice-ways in even this low dam. It may be found, however, after further surveys, that the dam may be made a fixed one without causing serious overflow. The details of this movable dam or weir are shown on sheet No. 53, and are of the usual form for such dams.

The dam at Lock No. 34, of 5-feet lift, is of piles, sheet-piled above, and covered on its sloping top with oak planking, and the intervals between the piles and under the sheeting filled with rip-rap. Two sluice-ways,

each 100 feet wide and 5 feet deep, are left in this dam, which are closed by gates or dams of novel design, recently invented and known as the "Parker" gate, from the name of the inventor. This gate, shown in detail on sheets No. 49 and 50, is a modification of the familiar "American Bear-Trap," by which the two leaves of the gate which in the original "Bear-Trap" form are detached, in the "Parker" gate are hinged together at their edges, and the upper leaf articulated or constructed in two hinged parts, to allow the gates to fold together when down. The joint between the parts of the upper leaf is covered and protected against deposits of sticks, leaves, etc., in the angle formed by the parts with a third (sliding) leaf, or "idler," which also protects the gate against impact of floating bodies.

The gate is maneuvered precisely as the "Bear-Trap" gate, by the hydrostatic pressure of water admitted under the gate when it is desired to raise it, and by withdrawing the water from beneath the gate and allowing the water-pressure on the upper leaf from the pool above to depress it.

The ports for emptying and filling the space beneath the gates, and other details of this construction, are so fully shown upon the plates that detailed description is unnecessary.

This modifiation of the "Bear-Trap" allows angles less than 90° between the upper and lower leaves of the gate when raised, so that the gate occupies less width than the "Bear-Trap." The lower leaf may be much shorter, or stand nearly or quite vertical, and consequently be made much lighter, and when the water beneath the gates is wholly or partly withdrawn, or added to, and the equilibrium disturbed, the difference in water-pressures on the upper and lower leaves, with certainty depresses or elevates the gate until an equilibrium is restored. This depression or elevation may be regulated by managing properly the supply and exit ports so that it may be complete, or the gate thrown flat or raised to its full height, or partially raised or lowered, and any desirable part of the capacity of the sluice-way attained. The gate, as shown by the only one of them yet constructed, at Menominee, Mich., is responsive and perfectly controllable.

The objections to it, in addition to what applies to the "Bear Trap," are:

(1) The difficulty of arranging four continuous axes of motion, parallel to each other.

(2) The difficulty of excluding trash from the angle between the articulations of the upper leaf.

(3) The additional expense of the third leaf, or "idler."

Both sluiceways in the plans shown are controlled from a center pier. This pier is reached from below by means of a walk sustained by piles. The walk being simple and inexpensive, is not included in the drawings.

Similar sluiceways are also designed for the dam at the head of the feeder, but it is likely that there will be found advisable more capacious sluices than shown on the plans in this latter dam, to prevent flowage of lands near Dixon. That matter requires more elaborate study and consideration than it has been possible to give it.

The dam at lock 34, just described, is a pile dam, with the section including the controllable sluiceway cut down, and the framework and piers of the sluices founded upon the piles so cut off. The dam at the head of the feeder is a combination pile and crib dam. The piles are cut off two feet above the low-water line; sheet-piled above and below; the space between the piles filled with stone, and the upper part of the dam built of crib-work founded upon these piles. During the construc-

tion of the dam the water level will be gradually raised, until the escape through the loose filling of the crib equals the low-water discharge. The coping plank of the dam will be placed, and, last, the sheeting on the upper face of the dam, abutting against the sheeting of the pile pile foundation, as shown upon the detailed drawings, will be placed and secured, and the dam backed with earth.

All sheet-piling used upon the dams on earth foundations is designed to be of the "Wakefield" type, which experience on the Illinois River has shown to be desirable and trustworthy, and when properly constructed, to be absolutely water-tight under such small heads of water as are encountered in these dams. This sheeting is composed of three dressed planks bolted together to form a tongued and grooved pile, and may vary in thickness to any extent necessary to stand driving in any soils that will allow wooden piles of any kind.

COST OF THE CANAL AND FEEDER.

The estimates given in the itemized tables here below cover all structures necessary to establish navigation over the route in question, except minor works specified hereafter; right of way; special damages due changes in roads, lines of fencing, farm buildings, etc.; permanent flowage of lands; and purchase of water power and mill at Dixon, Ill.

It is thought that the cost of certain minor works, referred to above as excepted, such as stop gates; gates for emptying, in emergencies, the separate levels of the canals for repairs; weirs and supply pipes or channels past the locks for feeding the levels, not indicated on the drawings and of small cost; levees and embankments at Dixon and on Rock River, and such other minor works, will be covered by the 10 per cent. allowed for contingent expenses.

The detailed estimates are given in the following tables:

MAIN LINE.

Location. Sheet No.	Location. Mile.	CANAL BANKS. Earthwork. Cubic yards.	CANAL BANKS. Earthwork. Cost.	CANAL BANKS. Cost, rip-rap.	CANAL BANKS. Concrete lining. Length, miles.	CANAL BANKS. Concrete lining. Cost.	WORKS OF CONSTRUCTION. Locks. Sheet No.	Locks. Number.	Locks. Lift.	Locks. Cost.	Locks. Keeper's dwelling.	Aqueducts. Sheet No.	Aqueducts. Number.	Aqueducts. Length, feet.	Aqueducts. Cost.	Dams. Sheet No.	Dams. Number.	Dams. Kind.	Dams. Length, feet.	Dams. Cost.	Sluices, inflows, weirs, and spillways. Sheet No.	Sluices, inflows, weirs, and spillways. Kind.	Sluices, inflows, weirs, and spillways. Length, feet.	Sluices, inflows, weirs, and spillways. Cost.	Culverts. Number.	Culverts. Cost.	Bridges. Highway. Number.	Bridges. Highway. Cost.	Bridges. Railroad. Number.	Bridges. Railroad. Kind.	Bridges. Railroad. Span, feet.	Bridges. Railroad. Cost.	RIGHT OF WAY. Acres. Number.	RIGHT OF WAY. Acres. Cost.	RIGHT OF WAY. Cost, fencing.	RIGHT OF WAY. Cost, special damages.	Mile.	Amounts.
5	1	176,150	$35,230				36	1	9	$45,472	$2,500																					26	$520	640		1	$84,362
	2						39	2	9	44,635	2,500																									2	
		89,750	16,156				39	3	9	44,635	2,500										41	Paved..	300	$5,000													
	3	59,600	11,920	$4,940	.25	$14,500																														
	4	81,600	16,320	4,940	.25	14,500	40	*4	8	38,064	2,500	59	*1	150	$40,175																				
6	5	77,200	15,440				39	5	9	44,635	2,500										41	Paved..	300	5,000	3	6,500	1	$5,800								
	6	68,800	13,760		.25	14,500															41	Paved..	300	5,000	4	2,100	2	5,800								
	7						40	6	8	42,468	2,500																										
		84,350	16,870	1,170			40	*7	8	38,064	2,500	63	*2	300	73,622						41	Paved..	300	5,000													
7	8	65,950	13,190	9,504	.25	14,500																			5–6	4,200	3	5,800			2	D. pivot..	60	38,000	27	810	640			
	9						44	8	10	48,568	2,500																							25	1,000	320		8	48,514
		64,000	12,800	16,530	.50	29,000	44	9	10	48,568	2,500														7	15,750							27	810	640		9	221,644
	10	68,700	13,740	18,186																	41	Paved..	300	5,000	8–9	6,200	4	5,800					25	1,500	640		10	52,866
	11	80,800	16,160	18,186	.25	14,500	39	*10	9	44,635	2,500										41	Paved..	300	5,000	10–11	11,400	*5	1,600					26	1,040	640	2,000	11	117,661
	12						39	*11	9	44,635	2,500																	*6	1,600								
							44	12	10	48,568	2,500																										
		149,700	29,940	6,822	.25	14,500	40	13	8	42,468	2,500																								
8	13	121,100	24,220				39	*14	9	44,635	2,500	65	3	210	76,638										12	7,700	7–*8	7,400					41	1,640	320	1,000	13	198,960
	14						40	15–16	29	84,960	2,500																							31	1,240	320	3,000	14	167,653
		68,200	13,640				44	*17	10	48,568	2,500										41	Paved..	300	5,000			*9	1,600								
	15	302,450	60,490									67	4	180	77,199																	36	1,440	640	2,000	15	162,848
	16						39	18	9	44,635	2,500										41	Paved..	300	5,000									25	1,500	640	2,000	16	141,829
		147,500	29,500				40	*19	7	40,812	2,500										41	Stone..	54	11,417												
10	17						40	*20	7	35,728	2,500										75	*Stone..	40	2,835												
		35,000	7,000				39	*21	9	41,953	2,500										75	*Stone..	40	3,167			11–*12	7,400	3	D. fixed..	50	25,200	39	1,800	640	2,000	17	132,705
	18	53,850	10,770				39	22	9	44,635	2,500										41	Paved.		5,000			13	5,800											35	2,800	640	2,000	18	74,145
	19																				41	Stone..	54	6,893													19	
		106,550	21,310				47	*23	6	36,170	2,500										75	*Stone..	40	2,315			14–15	11,600											28	1,960	640	2,000		85,388
	20	186,950	37,390				47	24	3	34,096	2,500										75	Paved..	50	500															26	780	640		20	75,906
11	21	93,700	18,740																		75	Paved..	50	500													34	87,100	640		21	25,336
	22	130,900	26,180																		75	Paved..	50	500	12–14	5,200													25	1,250	640	1,000	22	35,379
	23	63,950	12,790																						15	3,100	17	5,800											25	750	640	1,000	23	24,080
	24	138,000	27,800		.25	14,500																			16	7,700											24	51,700
12	25	103,900	20,780		.25	14,500																			17	12,000	18	5,800											25	2,000
	26	58,100	11,620				40	*25	7	40,812	2,500														18–19	6,100	*19–20	7,400											26	1,820
	27	62,750	12,550				47	*26	6	38,654	2,500										41	Paved..	300	5,000	20	6,500	21	1,600											26	1,560
	28	65,650	13,130																						21	6,500	22	5,800											25	1,500
13	29	73,650	14,610																						22–23	6,100													25	1,500
	30	61,900	12,390																						24–25	13,000													25	1,500
	31	133,950	26,790		.50	29,000	40	27	8	42,468	2,500																23	5,800											26	1,440
14	32	76,150	15,230				39	*28	9	44,635	2,500										41	Paved..	300	5,000	26	2,600	*24	1,600											26	520
	33	62,650	12,530																						27	7,600													25	250
	34	55,100	11,020																						28	2,600													25	250
	35	64,500	12,900																						29–30	9,100													25	500
15	36	58,400	11,680																						31	6,500													25	750
	37	56,150	11,230																								25	5,800											25	1,250
	38	57,150	11,430									69	5	420	102,066																							25	500
	39	79,400	15,880																						32	2,400													25	500
	40	78,650	15,810																						33	3,100	26	5,800											25	750
16	41	50,900	10,180																						34	12,000													25	750
	42	47,950	9,590																																			25	750
	43	66,700	13,140		.25	14,500																			35–36	4,500													25	1,000
	44	101,050	20,210																								27	5,800											25	1,500
17	45	73,700	14,740																								28	5,800											25	250
	46	79,750	15,950		.25	14,500																			37	7,700													25	1,000
	47	67,400	13,480																						38	7,700	29	5,800											25	750
	48																								39	3,700														
		111,850	22,370				44	29	10	48,568	2,500										41	Paved.	300	5,000													
18	49						44	30	10	46,574	2,500										41	Stone..	54	7,048													30	1,200	640	1,000	49	137,400
		70,850	14,170				44	31	10	48,568	2,500																										
	50	69,600	13,920				47	*32	6	38,654	2,500										41	Paved..	300	5,000	40	2,600	30–*31	7,400					27	540	640		50	122,572
	51	75,800	11,370																		41	Paved..	300	5,000	41	3,100	32	5,800					26	520	640		51	28,980
	52	92,900	13,935				44	33	10	48,568	2,500																											52	62,438
19	53	63,900	9,585																																			53	13,935
	54	50,500	7,575																																			54	9,585
	55	52,400	7,860																																			55	7,575
	56	36,480	5,472																																			56	7,860
20	57	27,200	4,080																																			57	5,472
	58	16,840	2,526																																1,000			58	4,080
	59	32,420	5,013																																			59	3,526
	60	70,520	10,578				48	34	5	61,414	2,500					48	1	Pile..	713	$69,560													1	50			60	141,537
21	61	43,880	6,582																																1,000			61	10,578
	62	36,140	5,421																																			62	7,582
	63	31,420	4,713																																			63	5,421
22	64	11,153	11,153																																2,100			64	6,813
	65	51,314	40,162				51	35	3	58,116	2,500					51	2	Crib..	682.5	72,619													1	50			65	145,538
	66	23,600	3,540																																1,000			66	46,162
	67	3,840	576																																			67	4,540
23	68	28,440	4,266																																			68	576
	69	6,640	996																																			69	4,266
	70																																					70	996
	71																																					71	
24	72																																		300			72	
	73	880	132																																1,000			73	300
	74	1,440	216																																2,000			74	1,132
25	75	83,748	18,682																																			75	2,216
	76	51,120	15,780	9,135			54	36	9	103,154	2,500					54	3–5	Crib..	1,548	85,976													12	1,200	320		76	290,767
	77	25,140	3,899	15,840																																		77	28,620
				8,910			39	37	9	44,635	2,500					77		Brush		65,000													1	50				124,994
			1,675,672	114,163		203,000				1,099,409	90,000				369,700					293,155				110,175		199,150		149,400				151,000		54,110	31,040	66,900		4,606,874
Add 10 per cent. for contingencies, etc																																							460,688
Total for main line																																							5,067,562

FEEDER LINE.

Location. Sheet No.	Location. Mile.	CANAL BANKS. Earthwork. Cubic yards.	CANAL BANKS. Earthwork. Cost.	CANAL BANKS. Cost, rip-rap.	CANAL BANKS. Concrete lining. Length, miles.	CANAL BANKS. Concrete lining. Cost.	WORKS OF CONSTRUCTION. Guard lock, supply inlets, weirs, dams, and dwelling. Sheet No.	Guard lock, supply inlets, weirs, dams, and dwelling. Cost.	Aqueducts. Sheet No.	Aqueducts. Length, feet.	Aqueducts. Cost.	Culverts. Number.	Culverts. Cost.	Bridges. Highway. Number.	Bridges. Highway. Cost.	Bridges. Railroad. Number.	Bridges. Railroad. Kind.	Bridges. Railroad. Span, feet.	Bridges. Railroad. Cost.	RIGHT OF WAY. Acres. Number.	RIGHT OF WAY. Acres. Cost.	RIGHT OF WAY. Cost, fencing.	RIGHT OF WAY. Cost, special damages.	Mile.	Amounts.
26	1	94,350	$18,870	$11,721			$218,574					1–2	$14,200											1	$366,385
	2	151,750	30,350	11,721																				2	
27	3	84,600	16,920	11,721																				3	43,551
	4	82,050	16,410	11,721								3	2,400											4	34,031
	5	67,950	13,590	11,721								4–5	4,800	1	$5,800									5	32,921
	6	76,350	15,270	11,721								6	2,400											6	40,551
28	7	97,400	19,480	11,721												1	S. Pivot..	60	$20,000					7	34,631
	8	118,250	23,650	11,721								7–8	27,900											8	55,591
	9	94,350	18,870									9	26,700	2	5,800									9	64,661
29	10	90,100	18,020									10	2,600	3	5,800	2	S. Pivot..	60	20,000					10	55,010
	11	129,400	25,880		.25	$14,500								4	5,800									11	50,810
	12	164,250	32,850									11–12	7,400											12	50,570
30	13	136,000	27,200									13	2,100											13	43,140
	14	151,100	30,220																					14	31,690
	15	102,450	20,490																					15	44,210
	16	62,350	12,470									14	3,700											16	25,830
	17	88,000	17,600									15	3,700	7	5,800									17	24,860
	18	109,100	21,820									16–17	6,300	8	5,800									18	33,596
	19	91,050	18,210											9	5,800									19	30,510
	20	108,850	21,770																					20	21,100
	21	89,900	17,980											10	5,800									21	30,460
31	22	105,800	21,160													3	S. Pivot..	60	20,000					22	39,876
	23	120,200	24,040											18	2,400									23	25,950
	24	101,750	20,350											19	3,700									24	30,130
	25	94,300	18,860											20	2,400	11	5,800							25	32,730
	26	100,700	20,140																					26	23,600
	27	68,000	13,600											21	2,100	12	5,800							27	32,680
	28	103,400	21,680											22–23	4,500									28	22,240
	29	84,600	16,920									71	150	$78,901		137,900		121,806					60,000	29	114,221
32	30	87,100	17,420											24–25	4,800	13–14	11,600							30	35,906
	31	299,200	59,840											26–27	4,500	15–16	11,600							31	30,360
	32	146,500	29,300													17	5,800							32	62,980
33	33	79,700	15,940											28	2,100									33	41,340
	34	68,800	13,760											29	2,400	18	5,800							34	23,220
	35	87,000	17,400											30	2,400	19–20	11,600							35	23,760
														31	2,400	21	5,800							36	31,150
				748,330	93,768	14,500	218,574			78,901		137,900		121,806					60,000		48,160	21,780	145,800		1,689,453
Add 10 per cent. for contingencies, etc																									168,945
Total for Feeder Line																									1,858,398

NOTE.—Asterisks (*) on the same horizontal line denote structures that are combined. In bridge columns S. denotes single track and D. double track.

RECAPITULATION.

Total for main line	$5,067,562
Total for Feeder Line	1,858,398
Grand total for the entire canal	6,925,960

The total cost of the work as given in detail in the above tables is, with 10 per cent. added for contingencies:

For the main line	$5,067,562
For the feeder line	1,858,398
Total	6,925,960

This estimate exceeds the estimate of 1886, which was $6,524,052.61, by $401,907.39. In my preliminary report, which was based upon partially completed estimates, it is stated:

> The detailed plans and estimates will give essentially the same results, and it may be said that this water-way, complete, will not differ in cost $250,000 more or less from that (1886) estimate.

It differs, however, $401,907.39, a variation from the original preliminary estimate of less than 7 per cent.

Upon comparing the two estimates it will be seen that in reality the preliminary estimate of 1886, based entirely upon rough designs and sketches now lost, was remarkably close to the present more elaborate and searching work; for certain works necessary to establish navigation over this route, and other works necessary for the operating and care of the canal, were omitted from the estimate of 1883–'86, and should be added to it to complete the estimate on the plans indicated in those reports.

These additional works necessary are as follows:

(1) A lock of 3 feet lift near the summit, to allow the drainage of the summit to be taken into the canal, as indicated in the text of the report of Assistant Herr (1883).

(2) Three sluices, "Taintor," to emit flood waters of Pond and Cow-catcher creeks, near the summit level on east slope.

(3) Thirty-seven lock-keepers' houses (main line).

(4) Double-track instead of single-track railroad bridges, made necessary by change in Chicago, Rock Island and Pacific R. R. since 1882.

(5) Partly movable instead of fixed dams, in Rock River.

(6) Lock-dwelling, dam, and sluice-ways at head of feeder.

(7) Excess in cost of guard-lock at Dixon instead of at feeder junction with main line, which latter location is an improper one.

If we complete the estimate of 1886 by adding thereto the cost of these additional necessary works not provided for in that estimate, nor considered in my preliminary report, the comparison of the two estimates, based on routes differing in location, as indicated in the reports and maps, will be as follows:

Published estimates of 1885; total		$6,524,052.61
Lock 24, 3-foot lift	$34,069.00	
3 sluiceways	25,358.00	
37 lock-dwellings, main line	90,000.00	
Excess double-track over single-track railroad bridges.	26,000.00	
Excess movable over fixed dams	41,584.00	
Lock-dwelling, dam, etc., head of feeder	134,296.00	
Excess in cost guard-lock at Dixon instead of at feeder junction with main line	52,232.21	
Total	403,566.21	
Add 10 per cent	40,356.62	443,922.83
Corrected estimate 1886		6,967,975.44
Estimate now submitted (1890)		6,925,960.00
Excess 1886 over 1890		42,015.44

or the estimates made complete on the two plans are practically the same.

The present estimate, however, contemplates the purchase of the mill and water-power at Dixon at a cost of $100,000, which is offset in the estimate of 1886 by the earthwork, etc., necessary to extend the feeder from its present proposed head up to the town of Dixon, or 2½ miles further than the terminus of the present proposed feeder line.

Although, of course, it is not known whether the condition of the market for labor and material will, throughout the time of construction of this work, if undertaken by Congress, verify or justify the prices per unit of work of various kinds specified in the estimates, the estimates are now considered liberal, as far as the construction work is concerned; but there must necessarily be elements of great uncertainty as to cost of the following items:

(1) Right of way, which must be obtained by agreement or condemnation.

(2) Damages by flowage of lands along Rock River, which will probably be judicially determined under the laws of the State of Illinois.

(3) Consequential damages to lands and farms from cutting through subdivisions, etc.

(4) Damages to railroad lines by crossing their tracks and introducing bridges both fixed and movable, or draw, into their lines.

These uncertain elements may increase the cost of the work. On the other hand it may probably be reduced by omitting the costly pile foundations under perhaps twenty-nine of the locks and several of the culverts, by which the estimates may possibly be reduced $150,000, and further examinations may better the location of the canal and feeder.

In this connection I have to say that the most difficult part of the line in an engineering sense is that part of it that lies in the valley of Pond Creek, where the available space is extremely contracted, due to the present location and right of way of the Chicago, Rock Island and Pacific Railroad, and the contracted valley. It may be found by further examination possible to follow further the valley of Bureau Creek with advantage, and attain the summit level north of the present proposed location.

The long feeder to Dixon is also expensive, although by making it navigable it adds materially to the value of the canal, and makes the extension of the navigation of Rock River towards its headwaters by slackwater, possibly even to Green Bay, via Lake Horicon and Fox River, more probable than without it.

Still it is doubtful whether this feeder is necessary as the only or least expensive plan to supply the summit level, for by cutting it down deeper Green River and the Winnebago swamp may be drawn upon, and may furnish a sufficient supply for the summit level for many years, or until the capacity of the canal is approximately reached. Subsidiary feeders for the eastern slope may be furnished from the drainage basin of Bureau Creek and for the western slope to make up losses from infiltration and evaporation from the swampy areas and high prairies through which the canal passes. These are points worthy consideration in the progress of the work on the main line, if it becomes necessary to consult economy instead of beneficence in its construction.

The question of the sufficiency of the Dixon feeder was discussed in the report of Major Benyaurd, in 1883, and there is no occasion now to modify his conclusions; there are other available sources of supply, and in any case sufficient water may be had at the summit for the full capacity of the summit level, and additional subsidiary supplies may be had as indicated herein above.

The extreme capacity of the canal as long as the combined lock is an

element in the system, is probably 3 boats each way per hour, or 144 boats per day of 300 registered tons each, or 8,640,000 tons in 200 days, the shortest probable season of navigation. Estimated by displacement of boats instead of by custom-house measurement, the extreme capacity of the canal is more than twice the above, but this may be taken as the attainable capacity of the route, as many boats will not be of equal tonnage to the maximum, nor the number of lockages, for various reasons, ever attain the theoretically possible number.

GENERAL CONSIDERATIONS RELATING TO THIS WORK.

The Illinois and Mississippi Canal is designed as a cut-off or short route from the Upper Mississippi River to Lake Michigan in connection with present existing water lines, or improved routes of greater capacity that have been contemplated for years.

The existing water route is: (1) Via Illinois and Michigan Canal, 97 miles to La Salle; (2) Illinois River from La Salle to its mouth at the Mississippi River, 223 miles; (3) Mouth of Illinois River to Rock River, 287 miles.

The present water-line from Chicago to the mouth of Rock River is as shown 607 miles, while by way of the proposed Illinois and Mississippi Canal (Hennepin) it will be only 188 miles, a saving in distance from Lake Michigan by water to all points on the Mississippi River above the mouth of Rock River of 419 miles over existing water routes. The route via the proposed canal will be shorter than via the Illinois River to all points on the Mississippi River above a point 78 miles by water above the mouth of the Illinois, and 209 miles below the mouth of Rock River.

Above the mouth of Rock River to St. Paul are 401 miles of river navigation, so that the proposed canal as a cut-off will shorten the distance from Lake Michigan by water to all points along the Upper Mississippi River for 610 miles of its course.

The Illinois River for 14 miles below La Salle forms one link in the proposed water-line, but the rest of the distance, 97 miles from La Salle to Chicago, the route is continued by the Illinois and Michigan Canal, a work of much less capacity than the proposed canal. Boats of the full capacity of the proposed locks for the Illinois and Mississippi Canal must stop at La Salle and transfer cargo to the less capacious Illinois and Michigan Canal.

To secure, therefore, the full benefits to be derived from the construction of the proposed line, either the Illinois and Michigan Canal should be enlarged to similar capacity or, still better, the Government extend the capacious channel now nearing completion on the Lower Illinois River to Lake Michigan via the Upper Illinois and Desplaines rivers and the canal across the Chicago Divide.

Without such work the proposed Illinois and Mississippi Canal will be simply a local highway of importance to the immediate neighborhood of its channel, and a regulator of local freights, but regarded as a national highway of but comparatively small significance.

While the construction of this canal even on the present basis must affect freight charges on all lines of transportation in competition with it by reducing them to nearly the cost of water transportation, it can not be of such value to commerce as would be possible were the line throughout of greater and more satisfactory capacity. The tonnage carried by the Illinois and Michigan Canal at present is about 1,000,000 tons per annum, and although this is a large tonnage it does not prob-

ably exceed one-third or one-fourth the capacity even of this small canal, but if anywhere near half the capacity of the proposed Hennepin Canal were added to its business this smaller canal would be overtaxed; but in addition to the business that will or may be furnished to it from the proposed work, that offered by the improved Lower Illinois must also be cared for by this inferior highway, which evidently will still further reduce the value of both the proposed canal and the Lower Illinois River improvement, the value of both works being gauged by the inferior connection.

The commercial advantages of this route have been fully discussed in former reports, notably by Maj. W. H. H. Benyaurd in the Annual Report of the Chief of Engineers for 1883; by Major Handbury in the report of the same officer for 1886, and by the Board of Engineers specially constituted to consider its relations to commerce, in 1886, in its report already referred to.

It is unnecessary therefore to go in detail into that question again, but a few observations may perhaps be proper here, although the law limits this investigation to plans and estimates and not to questions of merit or expediency.

It is a fact too well known to require extended discussion, that water routes generally when they come into competition with transportation by land are the most efficient and certain regulators of freight charges known. When free and of sufficient capacity they absolutely restrict freight charges to something near the actual cost of water transportation. The Erie Canal—of much smaller dimensions and capacity than the proposed canal—now absolutely restricts freight charges on grain and other products from Chicago and Duluth to the sea-board during the season of navigation to less than what is generally charged by the railroads from west of the Mississippi River to Chicago, less than one-third the distance. The freight charges from points on the Illinois River and Illinois and Michigan Canal to Chicago, as shown by the Board of Engineers of 1886, are similarly controlled by this latter water line.

The same results precisely must follow the construction of a short water route from Lake Michigan to the Mississippi whether a pound of freight is carried by the canal or not. The railroads must fix their rates for freight at or below the profitable cost of the cheaper water transportation or it will be carried by water.

It is evident, then, that this canal should be built, and it will as a public necessity some day be built. Whether it be constructed, however, by the General Government, by a State, or by corporations or individuals, is a very important and material question. If by a State, or by any other agency than the General Government, it will not probably be free from tolls, and can not therefore possibly subserve its purposes long. Its strong rivals, by depressing freights below a paying basis even for water carriage, would soon make the line a burden to its owners, and as a commercial or money-making enterprise it would soon fall a prey to and be dismantled and closed by its rivals, as has befallen so many canals of that character.

There is nothing so democratic as free water-ways and highways constructed and maintained by the public for the people, and every such means will be necessary to limit and restrain corporations, and are the most effective means to that end known.

Already in this country there are private citizens with their wealth invested mainly in means of transportation and securities based upon such properties, said to aggregate in the case of at least one of their

number an amount equal to one-third of the present public debt of the United States. If the policy of the holders and heirs of this fortune continue, as heretofore, that one huge estate will attract to itself by the mere force of interest compounded in a course of a few decades all of the present existing public lines of internal transportation and communication except the river and canal routes maintained free by the General Government.

It is possible that comparatively few years hence may witness the consolidation of all commercial highways, except the water routes, into the hands of one man or one family, or at least under the control of a few individuals, and this entire population tributary to him or them, by the mere gravitation, through interest, of property towards capital. Free water-ways as means of transportation seem the only method of limiting this power, or else a recourse to paternal socialism in the Government by which inheritances and legacies are limited. The latter will probably never come about, but the former method is practical and can be applied. As one of the means to this end the construction of this canal is favored here, provided that its utility be allowed to become evident, through the results that will follow the enlargement of the Illinois and Michigan Canal to an equal capacity, or, better still, as rendering this enlargement unnecessary, the prosecution to completion of the Illinois River scheme, already begun by the General Government on the lower Illinois, by which a water-way of sufficient capacity to accommodate the largest steam vessel that reaches the mouth of the Illinois River will be secured from Lake Michigan to the Mississippi River.

There is still another point to which it is desired to call attention, viz:

The locks proposed for this canal are of capacity sufficient to pass many steam-boats now existing upon the Mississippi River, but the bridges along the canal, as proposed, give only 15 feet headway under them, which exclude such boats. If these bridges were all made pivot-bridges, these steam boats could use the route, and its utility be very materially extended. The cost of the route would be increased, however, about one-quarter of a million dollars by this change, which, in my opinion, would be justified. Steam-boats of 250 tons register could use the route if this modification were made. The canal as designed is for navigation by barges and tugs only.

Respectfully submitted.

W. L. MARSHALL,
Captain, Corps of Engineers.

Brig. Gen. THOMAS L. CASEY,
Chief of Engineers, U. S. A.

REPORT OF MR. G. A. M. LILJENCRANTZ, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Chicago, Ill., May 21, 1890.

CAPTAIN: I have the honor to transmit herewith, a report on "Location of the Illinois and Mississippi Canal," with a navigable feeder from Rock River at Dixon, Ill., made in pursuance of an act of Congress of August 11, 1888.

The route approved by the Honorable, the Secretary of War, is identical with certain modifications herein specified, with the Main and Marais D'Osier routes of the Hennepin Canal, from Illinois River to the thirty-fifth mile, as reported on by Maj. W. H. H. Benyaurd, Corps of Engineers, U. S. Army, in report to the Chief of Engineers, U. S. Army (see Chief Engineer's report, 1883, Vol. II., p. 1754); thence with the Rock Island line, via Penny's Slough, to the seventy-sixth mile, reported on by Maj. Thos.

H. Handbury, Corps of Engineers (see Chief of Engineers' report for 1886, Vol III, p. 1711).

From the seventy-sixth mile the route follows the narrow channel north of Turkey Island, after descending through the last lock, No. 37, to 7½ feet below low water in Mississippi River, and thence through the main channel of Rock River to its mouth.

The last mentioned portion of the route was based on a survey from Milan to the mouth of Rock River, made under your direction by the undersigned, assisted by Mr. John Ericson, civil engineer, in September, 1889, and which has not been heretofore reported on.

The plans for the various structures having been designed by yourself and drawn under your direct supervision, this report will be confined to the location of the routes, and to alterations and modifications from former projects.

The location of the proposed route for the main line is shown on twenty sheets (30 inches by 40 inches in size), containing generally, 4 miles of the route, each, and drawn to a scale of 1-inch 600 = feet. Corresponding profiles are also shown at the bottom of each sheet.

The location of the feeder line is represented in a similar manner, on ten sheets.

An index map shows, besides the main and feeder lines of the proposed canal, their connection with Lake Michigan via the Illinois and Michigan Canal and Illinois River, and a profile of the whole distance of 193¾ miles.

The main line of the canal is 77 miles in length, 25 miles of which are in Rock River; is 59 feet wide at the bottom, and 80 feet wide at the water line, with a slope to the banks of one and one-half to one. The depth of water is 7 feet. Locks are 30 feet wide and 170 feet long between miter sills.

The feeder line is 34¾ miles long, and of the same dimensions as the main line.

The principal changes in the route, and in the kind and distribution of the structures, as compared with the original projects, are as follows:

THE MAIN LINE.

The location of the first mile is unchanged, but the entrance is made 200 feet wide instead of 50 feet, and Locks Nos. 1 and 2 are separated instead of combined, to save water in lockages, and reduce the otherwise very heavy cutting. The northerly bank is calculated to reach above extreme high water.

At the crossing of Peoria branch of Chicago, Rock Island and Pacific Railroad, on the second mile, a pivot bridge has been provided for in place of the arch estimated for in 1882, because at high water sufficient space (15 feet in the clear), could not be obtained without raising the track at least 8 feet, which would be impracticable, considering the high embankment and steep grade now existing at this place.

The crossing of the main line of Chicago, Rock Island and Pacific Railroad has been changed from the third to the seventh mile, to avoid two sand-hills, respectively 95 feet and 133 feet above the canal bottom, with the railroad track at their base, and which have been made the more objectionable by the addition of a second track to the railroad. The crossing is made by a pivot bridge, after which, the canal turning north and west, crosses Bureau Creek at a point 1,500 feet further up stream than originally proposed, where a bend in the creek offers a more favorable angle for crossing.

From the eighth to the eleventh mile the line is practically unchanged. Changes in the bed of the creek at some places have called for some slight modifications.

Lock No. 13 on the twelfth mile was originally located on the thirteenth mile, beyond the Bureau Creek crossing, but to secure a sufficient elevation of Aqueduct No. 3 at said crossing above high water the lock was moved back across the river about 2,200 feet, and to compensate for the short space thus made, 400 feet between this lock and Lock No. 12 a basin is placed between them on the plateau below the hill.

An important change has been made on the thirteenth and fourteenth miles. The canal was originally taken around a large bend in Bureau Creek partially on the slope of a high sand hill, but this bend having been disconnected with the channel proper by a "cut-off" made by the railroad company south of their track, has made it possible to take the canal across the bend without the need of any aqueduct, and in a nearly straight line.

The old bed having several rivulets emptying into it a large culvert has been arranged for at the lower crossing, there being a culvert to correspond in the railroad embankment near by. A spillway is placed at the upper crossing.

At the end of the fourteenth mile are located Locks Nos. 15 and 16 combined. The extra supply of water required by the combination is aided by a basin made in the deep depression in the ground found between Locks Nos. 16 and 17.

The fifteenth mile is practically the same as the original line, save that the length of aqueduct No. 4 over East Bureau Creek is reduced from 650 to 180 feet, the difference being in high embankment.

On the sixteenth mile the canal enters Pond Creek Valley, probably the most ob-

jectionable locality for a favorable location along the whole line. The original line had already a very limited space between the railroad track and the adjacent high ground, but the additional track has made the conditions in this repect still worse, and forced the line still further into the high ground.

After leaving the railroad on the seventeenth mile the canal follows the bed of Pond Creek, occupying this valley, and having an overflow weir at eack lock. It passes under a fixed double-track bridge of the Chicago, Burlington, and Quincy Railroad on this mile. At the beginning of the eighteenth mile the route crosses a divide, where rather heavy cutting must be made. To reduce this somewhat it was decided to modify the location (after this had been drawn on the maps), change the lifts of of two of the locks, move Lock No. 22 six hundred feet further back, and take the canal through a pond located half-way between the seventeenth and eighteenth mile stations. To show these changes on the maps would have involved so many changes on the plans, tables, etc., to correspond, and has therefore not been done, but the earthwork estimates are based on the modified plan.

Lock No. 23 at the beginning of the nineteenth mile is located near the site for the lock of the same number of 1882, but the latter brought the canal up to the summit level. As, however, the water surface in the extensive swamp, which the canal enters on the twentieth mile, has an elevation of 213, and that in the canal along the summit 215, and as it is desirable to take the water from the marsh into the canal it was decided to reduce the lift of Lock No. 23, and add a lock, No. 24, with 3-foot lift at the twentieth mile, thereby bringing the water surface in the canal below this lock 1 foot lower than the water surface in the swamp from which the water will then be taken over an inflow weir, into the canal.

Most of the nineteenth and twentieth miles run in the bed of Cow-catcher Creek, the present outlet for the above-mentioned swamp. Flood water will be disposed of by means of an overflow weir at Lock No. 23.

From the twentieth, to and including the forty-seventh mile the canal route is identical with that reported on in 1886.

On the forty-eighth mile some important changes have been made. The three Locks, Nos. 29, 30 and 31, combined, according to the project of 1886, have been separated, to economize water, and the basin then provided for as has been dispensed with. The ravine is included in the canal, and below the bluff, to the north, a bank is so arranged as to inclose a storage basin to supply the lock below with water.

In the bank is a spillway for the disposal of flood-water. The third of the locks just referred to is moved down to the forty-ninth mile. The location of the forty-ninth and fiftieth miles is unchanged.

At the beginning of the fifty first mile the canal enters Penny's Slough, descending through Lock No. 33 to the grade of 132. This grade was originally fixed at 138, at which but slight excavation would have been required, but having found by borings in this vicinity the indication of sand and mud of sufficient depth to admit of dredging, it was considered an advantage to thus lower the grade, which will increase the amount of dredging as compared with the original project, but will, on the other hand, greatly reduce the area of land which would be flooded, this land being frequently quite low, for considerable distances from the river.

With the exception of changes in the grade and location of locks, as suggested by borings in the river bed made in various places along Rock River in September, 1889, no alterations have been made until the seventy-fifth mile is reached at Milan, where a lock, No. 36, of novel design has been introduced. Through this lock, which has one set of upper and two sets of lower gates, it is designed to take the canal at times of low water into a channel formed by the natural bluffs on the east side, and a rip-rapped bank in the river on the west side, as far as to the head of Turkey Island, after which it follows the easterly shore of this island to the last lock, No. 37. The route as far as within 500 feet of this lock is practically the same, though with a lower grade, as the original route, which here turned northward towards Rock Island.

Below this last rock, which by a nine-foot lift brings the canal bottom down to 7½ feet below low water in Mississippi River, the canal follows the narrow channel north of Turkey Island, and enters the main channel of Rock River, which it follows to its mouth. Dredging will have to be done in the channel alongside of the island, but it is expected to secure the necessary depth in Rock River by scouring, produced by a series of brush and stone wing dams, as indicated on the map, sheet No. 25.

During high-water season, or when the river has a stage of about 6 feet or more above low water. the second set of lower gates in Lock No. 36 will lead directly into the river proper, which may at that stage, be freely navigated.

The estimated cost of the main line of the canal exceeds that made in 1885 by $188,751 or with 10 per cent added, by $207,627. The greatest difference is found in the cost of locks and railroad bridges. The former may be accounted for by the addition to the new estimates, of two locks, and by the fact that lock-keepers' dwellings now estimated to cost $90,000 were not considered in previous estimates. The bridges were undoubtedly held at too low figures in the original estimates. Sluice-ways,

weirs, and culverts as proposed are of more substantial construction than previously figured for, but estimates for dams and aqueducts are lower.

A table of estimates for the various structures and other items of expenditures is respectfully submitted herewith, and also forms a part of the atlas which will accompany your report.

THE FEEDER LINE.

It was originally planned to have the feeder leave Rock River above the dam at the Dixon flour mill, and run for a distance of 500 feet in a covered channel of diminished dimensions, but with greater fall than adopted for the balance of the line; and thence in an open canal, of the same dimensions as those decided upon for the main line along the street following the river bank. Along a portion of this street runs a railroad track to the mill, and several switch tracks.

Further on the then proposed route crossed the Illinois Central Railroad track, and not less than ten streets, which latter though not at present extensively improved, may all in time have required bridges. The wagon-road bridge at Galena street would have to be extended across the canal. All these bridges would add materially to the cost, besides being objectionable as obstructions to navigation. The right of way would necessarily also be expensive. Finally it would be necessary to build a new dam, the one at the mill being of neither suitable condition nor sufficient height to give the required slope to the water surface in the feeder. This has not previously been estimated for.

After consideration of all these facts it was decided to commence the feeder at a point about 2½ miles below the original starting-point, which involves the purchase of the water-power and mill at Dixon. A guard lock and dam with sluice-ways have been estimated for at this place.

These very expensive structures, not provided for in estimates of 1882, have caused an increase in the totals of the present estimate, though to a certain degree this has been counterbalanced by the exclusion of excavation, right of way, and other items of expense on the 2½ miles between Dixon and the new initial point.

From the starting-point to the place where the feeder line leaves the river, about 4 miles below Dixon, the north bank, partly built in the river, to a height of 2½ feet above high water, is heavily riprapped. Riprap is, furthermore, continued on the exposed north side of this bank to the eighth mile, where at station 395 the high water slope becomes identical with the water surface in the canal.

The feeder line from here on is identical with that projected in 1882, save the modifications made in the various structures.

The estimate for the feeder line, as shown on the table before referred to, exceeds the estimate of 1885 (which was that of 1882 adopted in toto) by $176,618, or with 10 per cent. added, $194,280, for reasons partly accounted for above.

The estimate of cost for canal and feeder, submitted herewith, is as follows:

Main line (including 10 per cent.)	$5,067,562
Feeder line (including 10 per cent.)	1,858,398
Total	6,925,960

I am, captain, very respectfully, your obedient servant,

G. A. M. LILJENCRANTZ,
Assistant Engineer.

Capt. W. L. MARSHALL,
Corps of Engineers, U. S. A.

UNITED STATES ENGINEER OFFICE,
Milwaukee, Wis., September 1, 1888.

SIR: Before it is practicable to intelligently submit a project for the location of the Illinois and Mississippi Canal, "on such line as the Secretary of War may approve," provided for by the river and harbor act of August 11, 1888, item Illinois River, I have to respectfully request instructions or information from the Department on the following points:

First. The balance of funds available, and title of the appropriation under the river and harbor act approved August 5, 1886, "for the examination of the Hennepin Canal and of the Illinois and Michigan Canal, by a Board of Engineers?"

Second. An interpretation of the word "locate;" whether it means that the embankments, excavations, locks, weirs, feeders, and other works shall be staked out and marked upon the ground, or whether the "location" shall consist in marking these works upon the maps, and preparing drawings, plans, etc., of the mechanical constructions?

Third. What route is approved by the Secretary of War?

It will be remembered that three lines of survey for this canal have been made from the Illinois River near the town of Hennepin, to the Mississippi River at or near Rock Island.

The portion of the surveyed routes from the town of Hennepin to the summit, 25 miles, is common to all, and, therefore, there can be no doubt as to the location of this portion. The feeder from the Rock River at Dixon is also common to all surveyed routes, but between the summit and the Mississippi the routes diverge—one to the Mississippi at Rock Island, one to near Albany via Marais d'Osier, one to Watertown. In going west the descending lockage by the Marais d'Osier route is 75 feet; by the Watertown route 86 feet; by the Rock Island route 101 feet.

The relative cost of the three routes is estimated:

First, or cheapest, Marais d'Osier, 64 miles long.

Second, Watertown, 64 miles long.

Third, Rock Island, 74.5 miles long.

The Marais d'Osier route has been preferred by Majors Handbury and Benyaurd, and by the Board of Engineers convened under the River and Harbor act of August 5, 1886, for the reasons stated in their reports. (Chief of Engineer's Reports, 1883, p. 1754 et seq., 1886, p. 1708 et seq., 1887, p. 2125 et seq.) The Watertown route is rejected by all.

The Chiefs of Engineers, Generals Newton and Duane, and Secretary of War, Mr. Endicott, have not accepted the recommendations of the local engineers and of the Board of Engineers, the Secretary of War and General Newton favoring the Rock Island terminus, and General Duane saying "it is by no means clear, in the present condition of the commercial relations existing on the two sides of the Mississippi River, that it (Marais d'Osier) would be the preferable route.

I do not think that further surveys will shed any additional light on the question of the relative merits of the points competing for the terminus of this canal on the Mississippi River, but the act of Congress of August 11, 1888, requires the canal to be located on the route approved by the Secretary of War, and it is necessary to know whether the letter of the Secretary of War forwarding the report of the Board of Engineers (in report of Chief of Engineers, 1887, p. 2127), in which he says "Although from the report of the Board it would appear that the Marais d'Osier route, regarded as an engineering question, is preferable, yet in view of the existing routes of travel and transportation and from military considerations I am inclined to coincide with the opinion of General Newton in favor of the Rock Island route," constitutes such an approval of this particular route as to require the location of the canal along that route without further action.

Very respectfully, your obedient servant,

W. L. MARSHALL,
Captain of Engineers.

The CHIEF OF ENGINEERS, U. S. A.

[First indorsement.]

OFFICE CHIEF OF ENGINEERS,
U. S. ARMY,
October 24, 1888.

Respectfully submitted to the Secretary of War. Referring to the points upon which Captain Marshall desires instructions or information, it may be stated that the balance of funds available from the appropriation in the river and harbor act of 1886 for the examination of the Illinois and Michigan Canal, and the proposed Hennepin Canal is, to-day, $14,497.44. The title of the appropriation is "Examination of Illinois and Michigan and Hennepin Canals." That in the judgment of this department the word "locate," as used in the act of August 11, 1888, means to *designate the site or place* of the proposed canal upon maps compiled from surveys sufficiently in detail to furnish a careful estimate of the cost of the work, and does not contemplate the staking out of the works upon the ground.

As to the third question, it is the understanding of this department that the Secretary of War in his letter to Congress of January 10, 1887, transmitting a report of a Board of Engineers upon the Hennepin Canal made in accordance with the act of August 5, 1886, approved the location of the "Rock Island route," and unless otherwise informed, Captain Marshall will be so instructed.

THOS. LINCOLN CASEY,
Brig. Gen., Chief of Engineers.

[Second indorsement.]

WAR DEPARTMENT, *October* 27, 1888.

The Chief of Engineers is authorized to instruct Captain Marshall as proposed in first indorsement.

By order of the Secretary of War:

HARRY BARTON,
Acting Chief Clerk.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 430.

PAY OF ARMY, ETC., FOR 1889.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Secretary of War submitting an estimate of deficiency in the appropriation for "Pay, etc., of the Army, 1889," amounting to $3,513.83.

JUNE 30, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 30, 1890.

SIR: I have the honor to submit herewith, for the consideration of Congress, copy of a communication from the Secretary of War of the 28th instant, submitting an estimate of deficiency in the appropriation for "Pay, etc., of the Army, 1889," amounting to $3,513.83.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, June 28, 1890.

SIR: I have the honor to forward herewith, for transmission to Congress, estimate, $3,513.83, required to meet deficiencies in the appropriation for "Pay, etc., of the Army, 1889."

Very respectfully,

L. A. GRANT,
Acting Secretary of War.

The SECRETARY OF THE TREASURY.

Supplemental estimates of appropriations required for the service of the fiscal year ending June 30, 1889, *by the Pay Department, U. S. Army.*

Pay, etc., of the Army, 1889: Mileage to officers when authorized by law (July 24, 1876; vol. 19, p. 100, sec. 1. March 3, 1883; vol. 22, p. 456, sec. 1. February 9, 1887; vol. 24, p. 396, sec. 1)	$3,513.83

W. R. GIBSON,
Acting Paymaster-General, U. S. Army.

NOTE.—The above estimate is explained by the following correspondence:

TREASURY DEPARTMENT, SECOND AUDITOR'S OFFICE,
Washington, D. C., June 26, 1890.

SIR: Referring to an estimate published in House Ex. Doc. 174, Fifty-first Congress, first session, of $11,486.17, required to pay mileage accounts of officers on file in your office, being a deficiency in the appropriation for mileage for the fiscal year 1889, I have the honor to inform you that accounts amounting to $346 have been certified by the Second Auditor and Second Comptroller, but are not included in the above-mentioned estimate; and there are other accounts pending which will further increase the deficiency.

The exact amount of the deficiency can not, however, be stated at present. With the view of providing for all outstanding accounts properly chargeable to the appropriation in question, I suggest that your estimate be increased from $11,486.17 to $15,000, which it is believed will cover all deficiencies. Should the whole of this amount not be required, the balance will go to the surplus fund by operation of law.

Respectfully, yours,

J. H. FRANKLIN,
Acting Auditor.

The PAYMASTER-GENERAL, U. S. ARMY.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, D. C., June 27, 1890.

SIR: I have the honor to transmit herewith a supplemental estimate of the amount that will be required to supply a deficiency in the amount appropriated for mileage to officers, under the title of "Pay, etc., of the Army, 1889," for the service of the fiscal year ending June 30, 1889.

This estimate is based on the accompanying letter from the Second Auditor, dated June 26, 1890.

The amount required under this estimate is $3,513.83.

Very respectfully,

W. R. GIBSON,
Acting Paymaster-General, U. S. Army.

The SECRETARY OF WAR.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 431.

ADDITIONAL ESTIMATE FOR PENSIONS.

COMMUNICATION

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a letter from the Secretary of the Interior, submitting additional estimates, transmitted by the Commissioner of Pensions, for the prompt execution of the act, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

JUNE 30, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
June 28, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior of the 27th instant, submitting additional estimates for the fiscal year ending June 30, 1891, as transmitted by the Commissioner of Pensions.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, June 27, 1890.

SIR: I have the honor to transmit herewith an estimate of additional appropriations, submitted by the Commissioner of Pensions, found necessary for the prompt execution of the act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," and ask the favorable consideration of Congress thereon.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., June 26, 1890.

SIR: I have the honor to submit herewith estimates in duplicate for the additional sums which, in my judgment, are necessary to be appropriated for the prompt execution of the act, if approved by the President, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

For surgeons' fees	$800,000
For clerk hire	100,000
For rent	10,000
For fuel	500
For lights	500
For stationery and other expenses, to be approved by the Secretary of the Interior	20,000
Total	931,000

Very respectfully,

GREEN B. RAUM,
Commissioner.

Hon. JOHN W. NOBLE,
Secretary of the Interior.

Additional estimates of appropriations required for the service of the fiscal year ending June 30, 1891, by the Bureau of Pensions, Department of the Interior.

Detailed objects of expenditure, and explanations.	Additional estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.
Fees and expenses of examining surgeons:		
For fees and expenses of examining surgeons, and each member of each examining board shall, as now authorized by law, receive the sum of $2 for the examination of each applicant, whenever five or less shall be examined on any one day, and $1 for the examination of each additional applicant on each day (March 1, 1889; vol. 26, p. 782, sec. 1)		$800,000
Expenses of pension agents:		
Clerk hire (March 3, 1885; vol. 23, p. 362, sec. 1. March 1, 1889; vol. 26, p. 782, sec. 1)	$100,000	
Rent (same acts)	10,000	
Fuel (same acts)	500	
Lights (same acts)	500	
Stationery and other necessary expenses, all to be approved by the Secretary of the Interior (same acts)	20,000	131,000
		931,000

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 432.

DANIEL DONOVAN.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Commissioners of the District of Columbia in relation to an appropriation to pay the balance of a judgment rendered by the Court of Claims in favor of Daniel Donovan, being a deficiency to the appropriation for "payment of referees, Court of Claims, District of Columbia." (Act July 7, 1884.)

JULY 7, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *July* 5, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Commissioners of the District of Columbia of the 1st instant, in relation to an appropriation to pay the balance of a judgment rendered by the Court of Claims in favor of Daniel Donovan as referee in certain cases against the District, being a deficiency to the appropriation for "payment of referees, Court of Claims, District of Columbia." (Act July 7, 1884.)

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,
Washington, July 1, 1890.

SIR: Relative to your reference to this office of No. 3047, warrant division, inclosing transcripts of judgments of the Court of Claims for $450 and $350, respectively, in favor of Daniel Donovan as referee in certain cases against the District of Columbia, the Commissioners have

to reply that they have directed the payment of the $350 judgment, and of $30 on account of services in the Lucas case; and have to request that you will regard this as their estimate for a deficiency for a balance of $420 for the services of Mr. Donovan as referee in the latter case, viz, Thomas S. Lucas *vs.* The District of Columbia, and so report it to Congress.

Respectfully,

J. W. DOUGLASS,
President.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 433.

ADDITIONAL CLERICAL FORCE FOR THE SECOND AUDITOR'S OFFICE.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Second Auditor recommending an appropriation for ten additional clerks, class 1, on account of recent pension legislation.

JULY 7, 1890.—Referred to the Committee on Appropriations

TREASURY DEPARTMENT, *July* 5, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Second Auditor, recommending an appropriation for ten additional clerks of class 1 to meet an expected increase of work growing out of recent pension legislation.

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
SECOND AUDITOR'S OFFICE,
Washington, D. C., July 5, 1890.

SIR: The act granting pensions to soldiers and sailors who are incapacitated, etc., approved June 27, 1890, will, it is reported, add 300,000 names to the pension list. It is, therefore, not unreasonable to expect that the work of this office will be considerably increased by additional calls from the Pension Office for information, not only in the cases of soldiers, but also in cases of widows and parents who may have furnished evidence for use in the settlement of their claims for arrears of pay and bounty, which will be of importance to the Pension Office. Additional calls may also be expected from the War Department for information required from the records of this office to enable it to respond to calls from the Commissioner of Pensions.

Since the Second Auditor's report for the fiscal year 1889 was submitted, showing that 456 inquiries from the Pension Office remained unanswered on June 30, 1889, the work of answering such inquiries has been brought up to date, there being only three inquiries awaiting an-

swers on the 1st instant. The other business of the office is also progressing satisfactorily, but clerks could not be withdrawn, even temporarily, from the work upon which they are now employed without detriment to the public service.

I have, therefore, the honor to recommend that Congress be asked to provide for the appointment of ten additional clerks of class 1, in order that the anticipated increase of work in connection with pension cases may be promptly disposed of.

Respectfully, yours,

J. N. PATTERSON,
Auditor.

The SECRETARY OF THE TREASURY.

o

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 434.

RICHARD H. TUTHILL vs. THE UNITED STATES.

LETTER

FROM

THE ATTORNEY-GENERAL,

IN THE

Case of Richard H. Tuthill vs. The United States, which case was not included in his report of April 18, 1890.

JULY 7, 1890.—Referred to the Committee on Appropriations.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 3, 1890.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Under the provisions of section 11 of an act of Congress entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, chapter 259, 24 Statutes at Large (1887) page 507, I have the honor to submit the following report:

Richard S. Tuthill *v.* The United States. Judgment for $975; costs $17.35. Dated May 23, 1889; northern district, Illinois,

This case was not included in my report of April 18, 1890.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

EXHIBIT No. 513.

No. 118. TUTHILL v. THE UNITED STATES.

Now again comes the parties herein by their attorneys and the court having considered the matters herein, and being fully advised thereon, finds the issues for the plaintiff and assesses his damages at the sum of $975. It is thereupon considered and adjudged and decreed by the court that the plaintiff have and recover of and from the defendant the sum of $975, his damages so as aforesaid found, together with the costs herein to be taxed.

HENRY W. BLODGETT,
Judge.

March 3, 1887. Northern district, Illinois.
Costs: $17.35.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 435.

ADDITIONAL FORCE NECESSARY TO MEET PAYMENTS UNDER NEW PENSION LEGISLATION.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Assistant Treasurer of the United States at New York, submitting an estimate of the additional force required to properly transact the increased business under the new pension legislation.

JULY 7, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
July 2, 1890.

SIR: I have the honor to transmit herewith, with recommendation for its favorable consideration, an estimate of the additional force required to properly transact the increased business devolving upon the office of the Assistant Treasurer of the United States at New York, under the provisions of the dependent pension act.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF ASSISTANT TREASURER UNITED STATES,
New York City, June 26, 1890.

SIR: The pension act, now soon to become a law, promises to increase very largely the work of this office, and to call for an addition to the number of clerks, as those now employed and those granted by the pending legislative, executive, and judicial appropriation bill have all the duties which they can perform.

The attention of the Department has already been directed to the fact that a large and growing ratio of the total number of pension checks is drawn upon this office, now from 65 to 70 per cent. of all. Provision was made in the estimate for the increase expected without additional legislation. Careful estimates justify the conclusion that the new law will require an increase of five persons, viz: One clerk at $1,400; two

clerks at $1,200; one clerk at $1,000; one messenger at $900, say $5,700, even if the force of the Pension Office is not increased.

If, however, the request of the Commissioner of Pensions dated June 12, for an increased force is granted, so that cases may be decided much more rapidly, this office must, in order to meet payments promptly, have at least ten additional employés (in lieu of the number above stated), viz: Two clerks at $1,400; four clerks at $1,200; two clerks at $1,000; two messengers at $900, say $11,400. Probably one half of this number would suffice to make the payments until about December 1, as only a part of the cases would be decided so as to reach the rolls before the quarter-day in September. It might thus be better to provide for the additional force generally instead of specifically. Say under the conditions first mentioned the sum of $5,000; under the latter conditions the sum of $10,000.

I therefore respectfully ask that, in order to make it possible to meet the emergency, an appropriation be requested. The urgency of the need of preparation to handle such a large number of checks as will be drawn upon the office by this new legislation, is as obvious as it is imperative.

Very respectfully,

E. H. ROBERTS,
Assistant Treasurer United States, New York.

The SECRETARY OF THE TREASURY.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 438.

ADDITIONAL JUDGMENTS AGAINST THE DISTRICT OF COLUMBIA.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Commissioners of the District of Columbia transmitting for appropriation an additional list of judgments rendered against the District of Columbia.

JULY 10, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *July* 9, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Commissioners of the District of Columbia of the 9th instant, transmitting for appropriation an additional list of judgments rendered against the District of Columbia.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,
Washington, D. C., July 9, 1890.

SIR: The Commissioners of the District of Columbia transmit herewith an estimate for appropriation for judgments against the District of Columbia, with request that same be forwarded to Congress for incorporation in pending deficiency bill.

Very respectfully,

L. G. HINE,
Acting President, Board of Commissioners, D. C.

$16,869.35.

Hon. WM. WINDOM,
Secretary of the Treasury.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, by the Commissioners of the District of Columbia.

	Judgment.	Costs.
For the payment of judgments against the District of Columbia, as follows:		
Henry E. Woodbury	$15,000.00	$244.35
Catharine Hennessy	1,500.00	91.20
Charles B. Young	.....	33.80
	16,500.00	369.35

Total $16,869.35, with a further sum to pay the interest on said judgments from the date the same became due until the date of payment.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 439.

CLAIM OF ISAAC S. LYON.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Attorney-General, submitting for an appropriation the claim of Isaac S. Lyon for $1,563.05.

JULY 10, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
July 9, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of the 8th instant, submitting for an appropriation the claim of Isaac S. Lyon for $1,563.05.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 8, 1890.

SIR: I herewith transmit for your consideration a claim of Isaac S. Lyon for services and disbursements amounting to the sum of $1,563.05. These services were rendered by Mr. Lyon under appointment from my predecessor, a copy of which appointment is herewith inclosed. The original claim made was for $1,713.05, but after careful consideration, it has been reduced by $150, leaving it as above. I also inclose copies of the claim in detail, with copies of the vouchers attached. I have caused the subject to receive careful consideration from the assistants in this Department, and entertain no doubt of the propriety of the settlement. Inasmuch as the account is now of long standing, I suggest the propriety of expedition in transmitting the same to Congress, that it may be placed in the present deficiency bill.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

EXHIBIT A.

WASHINGTON, D. C., *December* 7, 1888.

SIR: You are hereby appointed a special attorney by this Department to assist in the defense of the suit of Florine A. Austin, adm'x. *vs.* The United States, No. 13843, now pending in the Court of Claims—your employment to continue until otherwise notified by this Department. Your compensation will be at the rate of ten dollars per day; and your actual and necessary expenses including outlays connected with the attendance of witnesses properly vouched, in such service as you may be required to perform elsewhere than in the city of Washington, will be paid. You will receive your instructions from the Assistant Attorney-General in charge of the defense of the United States in the Court of Claims.

Very respectfully,

A. H. GARLAND, *A. G.*

ISAAC S. LYON, Esq.

The United States to Isaac S. Lyon, Dr.

	For services as special attorney from the 7th day of December, 1888, to the 31st day of December, 1888, dates inclusive, 25 days, at $10 per day	$250.00
	For expenses actually and necessarily incurred as per following statement:	
1888.		
Dec. 22.	Telegram to E. Richmond, Government agent, Vicksburg, Miss.—voucher 1	.50
25.	Railroad fare, Washington, D. C., to Cincinnati, Ohio	14.00
	Sleeper, Washington, D. C., to Cincinnati, Ohio	4.50
	Dinner on train, Washington, D. C., to Cincinnati, Ohio	1.00
26.	Porter of sleeper at Cincinnati, Ohio	.25
	Lunch (breakfast) at Cincinnati, Ohio	.20
	Telegram to E. Richmond, Government agent, Vicksburg, Miss.—voucher 2	.31
	Railroad fare, Cincinnati, Ohio, to Memphis, Tenn	14.65
	Lunch (dinner) at Louisville, Ky	.30
	Reclining chair, Bowling Green, Ky., to Memphis, Tenn	1.00
	Supper at Guthrie, Tenn	.50
27.	Street-car fare in Memphis, Tenn	.05
	Breakfast at Peabody Hotel, Memphis, Tenn.—voucher 3	.75
	Railroad fare, Memphis, Tenn., to Vicksburg, Miss	6.60
	Dinner at Clarksdale, Miss	.75
29.	Witness fees to Geo. W. Long, Vicksburg, Miss.—voucher 4	1.50
	Hotel bill, Vicksburg, Miss.—voucher 5	5.75
	Railroad fare, Vicksburg to Greenville, Miss	2.80
30.	Breakfast at Leland, Miss	.75
	Street-car fare in Greenville, Miss	.05
31.	Telegram to Henry Feltenberg and answer—vouchers 6 and 7	.55
	Hotel bill at Greenville, Miss.—voucher 8	6.00
	Jurat to this bill	.25
	Total	$313.01

I do solemnly swear that the above account is correct and just; that I performed the services, and was actually employed for the period stated therein; that the above expenditures were necessarily incurred and paid by me while in the discharge of my official duties, and that it was impracticable to obtain receipts other than those hereto annexed.

ISAAC. S. LYON.

Subscribed and sworn to before me this 13th day of February, 1889.

[SEAL.]

G. W. BALLOCH,
Notary Public.

WESTERN UNION TELEGRAPH CO., *Dec.* 22, 1888.

To ENOS RICHMOND,
Vicksburg, Miss.:

Howard returned to-day. I won't decide until Monday. Probabilities, can not come.

(Paid 50 cts., voucher 1.)

ISAAC S. LYON.

WESTERN UNION TELEGRAPH CO., *Dec.* 26, 1888.

To ENOS RICHMOND,
Vicksburg, Miss.:

Write me immediately at Peabody Hotel, Memphis, whether to join you immediately or find and bring Farrier, and just where he is, and all about him.
(Paid 31 cts., voucher 2.)

LYON.

MEMPHIS, TENN., *Dec.* 27, '88.

Isaac S. Lyon to Peabod otel, Dr. Board 75 c.
(Pd., voucher 3.)

C. B. Y. & Co.

VICKSBURG, MISS., *Dec.* 29, 1888.

Received of I. S. Lyon one $\frac{50}{100}$ dollars for attendance one day in giving depositions for defendants in suit of Florine A. Austin, adminx., *vs.* The U. S., No. 14834, pending in U. S. Court of Claims.
(Voucher 4.)

GEO. W. LONG.

VICKSBURG, MISS., *Dec.* 29, 1888.

Mr. I. S. Lyon to Washington Hotel, B. H. Welch, proprietor, Dr. To 2¼ days board, $5.75.
(Pd., voucher 5.)

B. H. WELCH.

WESTERN UNION TELEGRAPH CO., *Dec.* 31, 1888.

To HENRY FELTENBERG,
Glen Allen, Miss.:

Come to Greenville on first train on important business. Answer by telegram.

SIMON WITKOWSKI.

(30c., voucher 6.)

Henry Feltenberg was believed to be an important witness for the U. S., and being a friend of Simon Witkowski it was deemed best that the telegram to him signed by Simon Witkowski, in order to make his coming the more certain.

I. S. LYON.

WESTERN UNION TELEGRAPH COMPANY, *Dec.* 31, 1888.

To HENRY FELTENBERG,
Glen Allen, Miss.:

You need not come.
(Paid, 25 cts., voucher 7.)

SIMON WITKOWSKI.

This telegram was rendered necessary from the fact that since sending the former dispatch for Feltenberg to come developments (Simon Witkowski having testified contrary to his representations beforehand) indicated that he too would prove a treacherous witness.

I. S. LYON.

ST. CHARLES HOTEL, S. R. GOLDSMITH, Proprietor,
Greenville, Miss., Jan. 1*st*, 1889.

Mr. I. S. Lyon to St. Charles Hotel.

To 2¼ days board	$5.50
Additional meal	.50
	6.00

(Paid, voucher 8.)

ST. CHARLES HOTEL.

After settling bill, there was such delay in the arrival of a steam-boat that another meal was taken.

The United States to Isaac S. Lyon, Dr.

		For services as special attorney from the 1st day of January, 1889, to the 31st day of January, 1889, dates inclusive, 31 days, at $10 per day	$310.00
		For expenses actually and necessarily incurred, as per following statement:	
1889.			
Jan.	1.	Steam-boat fare, Greenville, Miss., to Grand Lake, Ark	2.00
	2.	Cash to Alexander Lynch, messenger, to go after team one-half mile distant, voucher ½	.25
		Ferry across Bayou Macon and return	.40
		Lunch along road, going and returning	1.00
	3.	Supper, lodging, and breakfast at Oak Grove, La., voucher 1	2.25
		Staying over night for driver	.15
	4.	Hotel bill at Moore's, Grand Lake, Ark., voucher 2	2.50
		J. P. Hall, witness, voucher 3	1.80
		Jesse Jackson, team to Oak Grove, two days, voucher 4	6.00
	5.	George W. Mooney, witness, voucher 5	7.37
	11.	M. C. Cooper, witness, voucher 6	18.57
	13.	H. F. Holt, witness, voucher 7	14.62
		Ferry across Bayou Macon and return	.40
	14.	William F. Owen, witness, voucher 8	6.47
	16.	William Ravan, witness, voucher 9	7.50
	17.	Jacob Owen, witness, voucher 10	8.12
	18.	Henry Green, witness, voucher 11	8.25
	20.	R. P. Poole, witness, voucher 12	8.57
		H. J. Cheatham, witness, voucher 13	10.70
	21.	J. B. Holland, witness, voucher 14	5.45
		Samuel Caughey, witness, voucher 15	3.20
		Levi Birdlong, messenger, voucher 16	.75
	25.	E. B. Williams, witness, voucher 17	5.07
	26.	C W. Owen, witness, voucher 18	11.25
	30.	Abram Murphy, messenger, voucher 19	.50
		Hotel bill at Grand Lake, Ark., voucher 20	37.50
		J. W. Haley, messenger service, voucher 21	.75
		Carrying self and baggage to landing	.25
	31.	Steam-boat fare from Grand Lake, Ark., to Greenville, Miss	2.00
		Street-car fare	.05
		Dinner and supper	1.15
		Railroad fare, Greenville to Vicksburg, Miss	2.80
		Jurat to this bill	.25
		Total	487.89

This is to certify that I was engaged in taking depositions and pursuing investigations in a cotton claim for the Department of Justice, and that the transportation by team charged for in this account was necessary for the public service, and that there was no public conveyance to the points visited.

ISAAC S. LYON.

This is to further certify that where board and lodging of a witness, together with feed for horse or mule, appear as items of charge in this account (vouchers 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18) such expenditure was necessary from the fact that these witnesses came from considerable distances, generally on horseback, and that the expense of maintaining themselves and horse at a hotel while awaiting their turn to be examined as witnesses would have been so great that they would not have appeared or staid to give their depositions, unless their entire expenses, including board for self and horse, and their per diem had been allowed, and that it was impossible to have sessions for taking testimony any nearer to the residence of the witnesses.

ISAAC S. LYON.

I do solemnly swear that the above account is correct and just; that I performed the services and was actually employed for the period stated therein; that the above expenditures were necessarily incurred and paid by me while in the discharge of my official duties, and that it was impracticable to obtain receipts other than those hereto annexed.

ISAAC S. LYON.

Subscribed and sworn to before me this 13th day of February, 1889.

G. W. BALLOCH,
Notary Public.

[SEAL.]

GRAND LAKE, ARK., *Jan'y* 2, '88.

This is to certify that Alexander Lynch, colored, was engaged as messenger to go after a team ½ mile distant for the purpose of enabling me to go to Lanes Ferry to summon a witness for defendants, and that it was impracticable to take a receipt; also that twenty-five cents were paid for this service.

(Voucher ½.) ISAAC S. LYON.

OAK GROVE, LA., *Jan'y* 3, 1889.

Received of I. S. Lyon two $\frac{25}{100}$ dollars for supper, lodging, and breakfast.

(Voucher 1.) R. P. POOLE.

GRAND LAKE, LA., *Jan'y* 4, 1889.

Received of I. S. Lyon two $\frac{50}{100}$ dollars for board, one and one-fourth days.

(Voucher 2.) JNO. E. MOORE.

GRAND LAKE, LA., *Jan'y* 4, 1889.

Received of I. S. Lyon one dollar and eighty cents for attendance as witness for defendants, one day and three miles travel, in suit of Florine A. Austin *vs.* The U. S., pending in U. S. Court of Claims.

(Voucher 3.) J. P. HALL.

GRAND LAKE, ARK., *Jan'y* 4, 1889.

Received of I. S. Lyon six dollars for team and driver two days, to go to Oak Grove, La.

(Voucher 4.) JESSE (his x mark) JOHNSON.

Witness:

J. W. Haley.

GRAND LAKE, ARK., *Jan'y* 5, 1889.

Witness, 3 days	$4.50
Board, 1¼ days	1.87
Board for horse, 1⅓ days	1.00
Total	7.37

Received of I. S. Lyon seven $\frac{37}{100}$ dollars for attendance one day, and one day coming and one day returning 15 miles, and board for self, one ¼ days, and one ⅛ days for mule, as a witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 5.) G. W. MOONEY.

GRAND LAKE, ARK., *Jan'y* 11, 1889.

Board, 6¼ days	$9.37
Witness, 6 days	9.00
Ferry	.20
Total	18.57

Received of I. S. Lyon eighteen $\frac{57}{100}$ dollars for attendance five days as witness for defendants and one day serving subpœna on F. C. Cooper and board in the meantime at Grand Lake, Ark., including twenty cents ferriage, in suit of Austin *vs.* The U. S.

(Voucher 6.)

M. C. COOPER.

GRAND LAKE, ARK., *January* 13, 1889.

Witness, 5 days	$7.50
Board, 4¼ days	6.37
Board for horse	.75
Total	14.62

Received of I. S. Lyon fourteen $\frac{62}{100}$ dollars for attendance five days and board and horse-feed for the time, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in the U. S. Court of Claims.

(Voucher 7.)

H. F. HOLT.

GRAND LAKE, ARK., *Jan'y* 14, 1889.

Witness, 3 days	$4.50
Board, ¾ day	1.12
Feed for horse	.25
Ferriage	.60
Total	6.47

Received of I. S. Lyon six $\frac{47}{100}$ dollars for attendance three days and board ¾ day and feed of horse and ferriage across Bayou Macon, in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 8.)

WM. T. OWEN.

GRAND LAKE, ARK., *Jan'y* 16, 1889.

Witness	$4.50
Board	3.00
Total	7.50

Received of I. S. Lyon seven $\frac{50}{100}$ dollars for attendance three days as witness and board two days for defendants in suit of Florine A. Austin *vs.* The U. S., pending in U. S. Court of Claims.

(Voucher 9.)

WM. (his x mark) RAVAN.

Witness,
J. W. HALEY.

GRAND LAKE, ARK., *Jan'y* 17, 1889.

Witness	$4.50
Steam-boat fare Pilcher's Pt. to Grand Lake	1.00
Board, 1¾ days	2.62
Total	8.12

Received of I. S. Lyon eight $\frac{12}{100}$ dollars for attendance one day and travel two days and steam-boat fare and board one ¾ days, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 10.)

JACOB OWEN.

GRAND LAKE, ARK., *Jan'y* 18, 1889.

3 days	$4.50
Board, 1½ days	2.25
2 days feed for mule	1.50
Total	8.25

Received of I. S. Lyon, eight $\frac{25}{100}$ dollars for attendance one day and one day coming 13 miles and one day returning 13 miles and 1½ days board for self and two days board for mule, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in U. S. Court of Claims.

(Voucher 11.)

HENRY (his x mark) GREEN.

Witness,
J. W. HALEY.

GRAND LAKE, ARK., *Jan'y* 20, 1889.

Witness, 3 days	$4.50
Board, 1¾ days	2.62
Mule board, 1¾ days	1.25
Ferriage	.20
Total	8.57

Received of I. S. Lyor eight $\frac{57}{100}$ dollars for attendance one day and travel two days (one day coming and one day returning), 40 miles, and board one ¾ days and feed for mule one ¾ days and ferriage across Bayou Mason, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 12.)

R. P. POOL.

GRAND LAKE, ARK., *Jan'y* 20, 1889.

Witness, 4 days	$6.00
Board, 2 days	3.00
Board for horse, 2 days	1.50
Ferriage	.20
Total	10.70

Received of I. S. Lyon ten $\frac{70}{100}$ dollars for attendance two days and one day coming and one day returning and board two days for self and two days for horse and ferriage across Bayou Mason.

(Voucher 13.)

H. J. CHEATHAM.

GRAND LAKE, ARK., *Jan'y* 21, 1889.

Witness, 2 days	$3.00
Board, 1 day	1.50
Board for horse, 1 day	.75
Ferriage	.20
Total	5.45

Received of I. S. Lyon five $\frac{45}{100}$ dollars for attendance one day and one day coming and returning, 25 miles, and board one day for self and one day for horse and ferriage across Bayou Macon, as a witness for defendants in suit of Florine A. Austin *vs.* The U. S. pending in Court of Claims.

(Voucher 14.)

JOHN B. HOLLAND.

GRAND LAKE, ARK., *Jan'y* 21, 1889.

Witness, 1 day	$1.50
Mileage	1.50
Ferriage	.20
Total	3.20

Received of I. S. Lyon three $\frac{20}{100}$ dollars for attendance one day and travel fifteen miles and ferriage across Bayou Mason, as a witness for defendants in suit of Florine A. Austin *vs.* The U. S.

(Voucher 15.)

S. N. CAUGHEY.

GRAND LAKE, ARK., *Jan'y* 21, 1889.

Received of I. S. Lyon seventy-five cents for carrying telegrams across Miss. River to Leota, Miss., for transmission to Ass't Att'y Gen'l, Wash'n, D. C.

(Voucher 16.)

LEVI BIRDLONG.

GRAND LAKE, ARK., *Jan'y* 25, 1889.

Witness, 2 days	$3.00
Board, $\frac{3}{4}$ day	1.12
Board horse	.75
Ferriage	.20
Total	5.07

Received of I. S. Lyon five $\frac{7}{100}$ dollars for attendance one day and one day in going and returning and $\frac{3}{4}$ day board for self and one day board for mule and ferriage across Bayou Macon, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 17.)

E. B. WILLIAMS.

GRAND LAKE, ARK., *Jan'y* 26, 1889.

Witness, 5 days	$7.50
Board, 2 days	3.00
Board, 1 day, horse	.75
Total	11.25

Received of I. S. Lyon eleven $\frac{25}{100}$ dollars for attendance three days and one day coming and one day returning, and board two days for self and board one day for horse, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.

(Voucher 18.)

C. W. OWEN.

GRAND LAKE, ARK., *Jan'y* 30, 1889.

Received of I. S. Lyon fifty cents for messenger service in bringing telegram to him from Sterling Landing, Ark., sent by Dept. of Justice.
(50c., voucher 19.)

ABRAM (his x mark) MURPHY.

Witness,
J. W. HALEY.

GRAND LAKE, ARK., *Jan'y* 30, 1889.

Received of I. S. Lyon thirty-seven $\frac{50}{100}$ dollars for 26¼ days board to date.
(Voucher 20.)

M. CHRISTIAN.

GRAND LAKE, ARK , *Jan'y* 30, 1889.

Received of I. S. Lyon seventy-five cents for ferry across Miss. River to Leota, Miss., to forward depositions of defendant to Dept. of Justice in suit of Florine A. Austin *vs* The U. S., pending in Court of Claims.
(Voucher 21.)

J. W. HALEY.

The United States to Isaac S. Lyon, dr.

	For services as special attorney from the 1st day of February, 1889, to the 28th day of February, 1889, dates inclusive, 28 days, at $10 per day		$280.00
	For expenses actually and necessarily incurred, as per following statement:		
	1889.		
Feb.	1.	Frank Marattia, witness, voucher 1	4.50
		Hotel bill at Vicksburg, Miss., voucher 2	2.00
		Railroad fare, Vicksburg to Jackson, Miss	1.30
		Railroad fare, Jackson to Canton, Miss	.70
	2.	Livery bill, Canton to Camden, Miss., voucher 3	5.00
	3.	Hotel bill at Canton, Miss., voucher 4	3.50
		Railroad fare, Canton to Jackson, Miss	.70
		Lunch (supper) at Jackson, Miss	.45
		Railroad fare, Jackson, Miss., to Goldsborough, N. C	24.50
		Sleeper, Meridian, Ala., to Atlanta, Ga	2.50
	4.	Breakfast at Birmingham, Ala	.60
		Dinner at Oxanna, Ala	.50
		Porter of sleeper at Atlanta, Ga	.25
		Supper at Atlanta, Ga	.50
		Sleeper, Atlanta, Ga., to Greensborough, N. C	2.50
		Lunch (breakfast) at Greensborough, N. C	.20
		Lunch (dinner) at Raleigh, N. C	.20
		Supper at Goldsborough, N. C	50
		Railroad fare, Goldsborough to Battleborough, N. C	1.70
	6.	Hotel and livery bill at Battleborough, N. C., voucher 5	2.75
		Railroad fare, Battleborough to Weldon, N. C	1.00
		Railroad fare, Weldon, N. C., to Washington, D. C	7.30
		Supper at Milford, Va	.75
		Postage	.10
	28.	Railroad fare, Washington, D. C., to St. Louis, Mo	14.00
		Pullman car, Washington, D. C., to St. Louis, Mo	5.00
		Jurat to this account	.25
		Total	363.25

This is to certify that I was engaged in taking depositions and pursuing investigations in a cotton claim for the Department of Justice, and that the transportation by team charged for in this account was necessary for the public service, and that there was no public conveyance to the points visited.

ISAAC S. LYON.

I do solemnly swear that the above account is correct and just; that I performed the services, and was actually employed for the period stated therein; that the above expenditures were necessarily incurred and paid by me while in the discharge of my official duties, and that it was impracticable to obtain receipts other than those hereto annexed.

ISAAC S. LYON.

Subscribed and sworn to before me this 12th day of June, 1889.
[SEAL.]

G. W. BALLOCH,
Notary Public.

VICKSBURG, MISS., *February* 1, 1889.

Received of I. S. Lyon four dollars and fifty cents for attendance three days as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.
(Voucher 1.)

FRANK MARATTIA.

VICKSBURG, MISS., *Feb.*, 1*st*, 1889.

Mr. I. S. Lyon to Washington Hotel (B. H. Welch, proprietor), Dr., $\frac{3}{4}$ days board, $2.00.
(Paid, voucher 2.)

R. A. KIDWELL.

CANTON, MISS., *Feb.* 2, 1889.

Mr. I. S. Lyon to R. W. Durfey, proprietor of livery, feed, sale, and commission stable, Dr. To wag. and team to Camden, $5.00.
(Paid, voucher 3.)

R. W. DURFEY.
Per JOHNSON.

This expenditure was necessary to enable me to visit Dr. Wm. Clanton in expectation of finding him an important witness for defendants.

I. S. LYON.

EUROPEAN HOTEL, WEST SIDE COURT SQUARE,
Canton, Miss., Feb. 3, 1889.

Received of Mr. I. S. Lyon $3.50 in full of board to date.
(Voucher 4.)

PETER TROLIO,
Landlord.

BATTLEBORO, N. C., *Feb'y* 6, 1889.

Board	$1.50
Team	1.25
Total	2.75

Received of I. S. Lyon two $\frac{75}{100}$ dollars for board $\frac{3}{4}$ day and team to Gold Rock, N. C.
(Voucher 5.)

J. T. STEWART.

With above team I visited residence of Wm. Cloman, at Gold Rock, to summon him as witness for defendants.

I. S. LYON.

The United States to Isaac S. Lyon, Dr.

For services as special attorney from the 1st day of March, 1889, to the 31st day of March, dates inclusive, 31 days, at $10 per day $310.00

For expenses actually and necessarily incurred, as per following statement:

1889.		
Mar. 1.	Breakfast at Pittsburgh, Pa	$0.75
	Dinner at Columbus, Ohio	.75
	Lunch (supper) at Richmond, Ind	.25
2.	Porter of sleeper at St. Louis, Mo	.25
	Lunch (breakfast) at St. Louis, Mo	.30
	Railroad fare, St. Louis, Mo., to Arkadelphia, Ark	10.50
	Dinner at Bismarck, Mo	.50
	Supper at Walnut Ridge, Ark	75
	Bus from depot to hotel at Arkadelphia, Ark	25

The United States to Isaac S. Lyon, Dr.—Continued.

1889.			
Mar.	4.	John Smoker, witness, voucher 1	$1.00
		E. H. McDaniel, notary public, taking deposition, voucher 2	2.00
		Hotel bill at Arkadelphia, Ark , voucher 3	3.50
		Railroad fare, Arkadelphia to Texarkana, Ark	2.40
		Railroad fare, Texarkana to Shreveport, La	2.70
		Lunch (supper) at Marshall, Tex	.30
	5.	Thomas C. Johnson, witness, voucher 4	1.50
		L. E. Carter, notary public, taking depositions, voucher 5	5.00
		Hotel bill at Shreveport, La., voucher 6	2.00
	6.	Bus from hotel to depot at Shreveport, La	.25
		Railroad fare, Shreveport to Morrows, La	7.10
		Dinner at Boyce, La	.75
	7.	William Foot, witness, voucher 7	2.20
		C. W. Harvard, notary public, taking deposition, voucher 8	5.00
	8.	Board bill and buggy hire at Morrows, La., voucher 9	4.00
		Railroad fare, Morrows to Baton Rouge, La	2.75
		Telegram, Baton Rouge to Delhi, La , voucher 10	.30
		Supper at Baton Rouge	.50
		Railroad fare, Baton Rouge, La., to Vicksburg, Miss	4.40
	9.	Hotel bill at Vicksburg, Miss., voucher 11	1.50
		Stationery at Vicksburg, Miss., voucher 12	.25
		Railroad fare, Vicksburg, Miss., to Delhi, La	1.65
	11.	R. J. Lowdon, notary public, taking deposition at Floyd, La., voucher 13	5.00
		Board bill at Floyd, La., voucher 14	2.00
	12.	Livery bill at Delhi, La., voucher 15	5.00
		Board bill at Delhi, La., voucher 16	4.00
		Railroad fare, Delhi, La., to Vicksburg, Miss	1.65
		Telegram from Delhi to Washington, D. C., voucher 17	.30
		Telegram from Vicksburg to Washington, D. C., voucher 18	.50
	13.	Hotel bill at Vicksburg, Miss., voucher 19	2.50
		Ferry, Vicksburg, Miss., to Delta, La	.50
		Supper at Delta, La	.25
		Railroad fare, Delta to Delhi, La	1.05
	14.	Hotel bill at Delhi, La., voucher 20	1.50
		Railroad fare, Delhi to Ruston, La	2.05
	15.	Livery bill at Ruston, La., voucher 21	1.25
		Hotel bill at Ruston, La., voucher 22	1.50
		Railroad fare, Ruston to Shreveport, La	1.95
		Lunch (dinner) on road	.25
		Hotel bill at Shreveport, La., voucher 23	1.00
	16.	Bus to depot at Shreveport, La	.25
		Railroad fare, Shreveport to Sodus, La	2.35
		Telegram from Sodus, La., to Washington, D. C., voucher 24	.40
	17.	Hotel bill at Sodus, La., voucher 25	2.00
		Railroad fare, Sodus to New Orleans, La	9.85
		Messenger from Rosa Station to William Foot's, witness	.50
		Dinner at Baton Rouge Junction	.75
		Street-car fare in New Orleans, La	.05
	18.	Telegram, from New Orleans to Washington, D. C., voucher 26	.25
		Hotel bill, New Orleans, La., voucher 27	3.50
		Railroad fare, New Orleans, La., to Washington, D. C	27.50
		Sleeper, New Orleans, La., to Nashville, Tenn	4.00
		Supper at Mobile, Ala	.75
	19.	Lunch (breakfast) at Decatur, Ala	.30
		Porter of sleeper at Nashville, Tenn	.25
		Lewis Martin, services, voucher 28	.25
	20.	Hotel bill at Nashville, Tenn., voucher 29	2.50
		Dinner at Bowling Green, Ky	.50
		Lunch (supper) at Cincinnati, Ohio	.35
		Sleeper, Cincinnati, Ohio, to Harrisburg, Pa	3.00
	21.	Breakfast at Pittsburg, Pa	.75
		Porter of sleeper at Harrisburg, Pa	.25
		Dinner at Harrisburg, Pa	.75
		Jurat to this bill	.25
		Total	468.90

This is to certify that I was engaged in taking depositions and pursuing investigations in a cotton claim for the Department of Justice and that the transportation by team, charged for in this account, was necessary for the public service and that there was no public conveyance at the time necessary for me to go to the points visited.

ISAAC S. LYON.

I do solemnly swear that the above account is correct and just; that I performed the services, and was actually employed for the period stated therein; that the above expenditures were necessarily incurred and paid by me while in the discharge of my official duties, and that it was impracticable to obtain receipts other than those hereto annexed.

ISAAC S. LYON.

Subscribed and sworn to before me this 12th day of June, 1889.
[SEAL.] G. W. BALLOCH,
Notary Public.

ARKADELPHIA, ARK., *Mar.* 4, 1889.

Received of Isaac S. Lyon one dollar for attendance one day as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in the U. S. Court of Claims.
(Voucher 1.)

JOHN SMOKER, Dr.

ARKADELPHIA, ARK., *Mar.* 4, 1889.

Received of I. S. Lyon two dollars for attendance one day as comr. and transcribing ten folios of testimony for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.
(Voucher 2.)

E. H. MCDANIEL, N. P.

ARKADELPHIA, ARK., *Mar.* 4, 1889.

Received of I. S. Lyon three $\frac{50}{100}$ dollars for board one and three-fourths days at Spencer House.
(Voucher 3.)

J. A. SPENCER.

SHREVEPORT, LA., *Mar.* 5, '89.

Received of I. S. Lyon one $\frac{50}{100}$ dollars for attendance one day, as witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending the Court of Claims.
(Voucher 4.)

T. C. JOHNSON.

I. S. Lyon to L. E. Carter, Dr.

For one day's attendance as comr. in taking testimony for defendants in suit of Florine A. Austin *vs.* The U. S., to 14 folios testimony at 15.....

	$3.00
	2.00
	5.00

Received payment, this March 5, '89.
(Voucher 5.)

L. E. CARTER,
Notary Public.

SHREVEPORT, LA., *Mar.* 5, '89.

Mr. I. S. Lyon to City Hotel, Dr. A. J. Reynolds, Proprietor.

To 1 day's board, $2.00.
Paid.
(Voucher 6.)

A. J. REYNOLDS,
Freeman.

MORROWS, LA., *Mar.* 7, 1889.

Received of I. S. Lyon two dollars and twenty cents for attendance one day and travel seven miles as a witness for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims.
(Voucher 7.)

WM. FOOT.

MORROWS, LA., *Mar.* 7, '89.

Received of I. S. Lyon five dollars for services one day as comr. in taking testimony for defendants in suit of Florine A. Austin *vs.* The U. S., pending in Court of Claims, and for taking seventeen folios of testimony at 15c per folio.
(Voucher 8.)

C. W. HAVARD,
Notary Public.

MORROWS, LA., *Mar.* 8, 1889.

Received of I. S. Lyon four dollars for board 1¾ days to date and buggy to go to residence of Wm. Foot, witness.
(Voucher 9.)

E. MORROW.

WESTERN UNION TELEGRAPH CO.,
Delhi, La., March 8, '89.

TO OPERATOR:

Inquire and answer immediately, whether Colonel Lott is at Floyd, whether he passed up some days ago and has not returned.
(Paid 30 cts. Voucher 10.)

I. S. LYON,
Govt. Attorney.

VICKSBURG, MISS., *Mar.* 9, 1889.

Mr. I. S. Lyon to Washington Hotel, Dr. B. H. Welch, Proprietor:

½ day's board..... $1.50
(Paid. Voucher 11.)

R. A. KIDWELL.

VICKSBURG, MISS., *Mar.* 9, '89.

Mr. I. S. Lyon, esq., bought of A. G. Tillman, bookseller and stationer, 1 qr. Legal cap pa., 25c.
(Paid. Voucher 12.)

A. G. TILLMAN.

FLOYD C. H., LA., *Mar.* 11, '89.

Received of I. S. Lyon five dollars for attendance one day as com'r and transcribing 14 folios of testimony in suit of Florine A. Austin *vs.* the U. S., pending in Court of Claims.
(Voucher 13.)

R. J. LOWDON, *Not. Pub.*

FLOYD, LA., *Mar.* 11. '89.

Received of I. S. Lyon two dollars for board and lodging one day.
(Voucher 14.)

MRS. E. L. NEWMAN.

DELHI, LA., *Mar.* 12, '89.

Received of I. S. Lyon five dollars for livery team to Floyd and return.
(Voucher 15.)

CASON & JOHNSTON,
Pr. H. J. C.

MASON HOUSE, *Delhi, La., March* 12, 1889.

Received of I. S. Lyon four dollars for board two days to date.
(Voucher 16.)

JOHN T. MASON.

WESTERN UNION TELEGRAPH COMPANY, *March* 12, 1889.

TO ROBERT A. HOWARD,
Department of Justice, Washington, D. C.

Depositions finished and forwarded. Will return immediately, unless otherwise notified at Vicksburg before Wednesday noon.
Paid 30c.
Copy.
(Voucher 17.)

LYON.

WESTERN UNION TELEGRAPH CO., *Mar.* 12, 1889.

To Mr. HOWARD or MAY,
Department Justice, Washington.

Horey passed through Vicksburg toward Shreveport to-day. If case is to be further delayed, suppose I spend about a week looking up evidence for future use. I could see four men in Louisiana probably to advantage. Answer.

Copy.
(Paid 50c. Voucher 18.)

LYON.

VICKSBURG, MISS., *Mar.* 13, '89.

Mr. I. S. Lyon to Washington Hotel, Dr. B. H. Welch, proprietor.

1 day's board $2.50

Paid.
(Voucher 19).

R. A. KIDWELL.

DELHI, LA., *Mar.* 14, 1889.

Received of I. S. Lyon one $\frac{50}{100}$ dollars for board and lodging $\frac{3}{4}$ day to date.
(Voucher 20).

JOHN T. MASON.

RUSTON, La., *Mar.* 15, 1889.

Received of I. S. Lyon one $\frac{25}{100}$ dollars for buggy to residence of John H. Martin, distance 7 miles.
(Voucher 21).

MORRIS & BARBER.

RUSTON, LA., *Mar.* 15, 1889.

Received of I. S. Lyon one $\frac{50}{100}$ dollars for board $\frac{3}{4}$ day, at Calvin House, to date.
(Voucher 22.)

S. A. CALVIN.

SHREVEPORT, LA., *Mar.* 15, 1889.

Mr. I. S. Lyon to City Hotel, Dr. A. J. Reynolds, proprietor:

To board $1.00

Paid.
(Voucher 23.)

A. J. REYNOLDS.
F.

WESTERN UNION TELEGRAPH CO., *March* 17, 1889.

To ROBERT HOWARD, *Department of Justice, Washington:*

Hovey, at Shreveport, refused to disclose his plans. Don't grant Hovey any privilege unless notification to me. My address during Saturday is Sodus, Louisiana.
(Voucher 24. Paid, 40c.)

LYON.

SODUS, LA., *March* 17, 1889.

Received of I. S. Lyon two dollars for hotel bill, one day to date.
(Voucher 25.)

W. B. ATKINS.

WESTERN UNION TELEGRAPH CO., *Mar.* 18, 1889.

To ROBERT HOWARD,
Department Justice, Washington, D. C.:

I leave this afternoon, three o'clock, for Washington, unless directed otherwise by telegram at St. Charles Hotel, New Orleans.
(Paid 25c., voucher 26.)

LYON.

Copy.

St. CHARLES HOTEL, *Mar.* 18, '89.

Mr. I. S. Lyon to R. E. Rivers, Dr.

Board, 1 day..... $3.50

(Paid, voucher 27.)

GEO. A. P. KELSEY.

NASHVILLE, TENN., *March* 19, 1889.

Received of I. S. Lyon twenty-five cents, for services overhauling files of "Nashville American" to find copy for 1861.

LEWIS MARTIN.

(Voucher 28.)

NASHVILLE, TENN., *March* 20, 1889.

Mr. I. S. Lyon, to board one day, $2.50.
Paid.
(Voucher 29.)

J. H. HUME, *Ck.*

The United States, to Isaac S. Lyon, Dr.

1889. For services as special attorney from the first day of April, 1889, to the eighth day of April, 1889, dates inclusive, 8 days at $10 per day..... $80.00

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 440.

ADDITIONAL CLERICAL FORCE FOR THE THIRD AND FOURTH AUDITORS OF THE TREASURY.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

Applications from the Third and Fourth Auditors for increased clerical force in consequence of the recent pension legislation.

JULY 12, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., July 12, 1890.

SIR: I have the honor to inclose herewith, for the consideration of Congress, applications of the Third and Fourth Auditors of the Treasury, for increased clerical force, required in consequence of recent pension legislation, as follows:

Office of Third Auditor.—Four clerks of class 2, four clerks of class 1.

Office of Fourth Auditor.—Two clerks of class 4, one clerk of class 3 one clerk of class 2, one clerk of class 1, two clerks at $1,000 each.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,
Washington, D. C., July 11, 1890.

SIR: In order to properly conduct the business of this office, in the event the additional clerical force made necessary by reason of recent pension legislation, asked for by the Commissioner of Pensions, is granted, it will require the services of eight additional clerks, and I would respectfully ask that authority be given for their employment. Their grades to be, four of class 2, $1,400; four of class 1, $1,200.

Respectfully,

W. H. HART, *Auditor.*

Hon. WM. WINDOM,
Secretary of the Treasury.

TREASURY DEPARTMENT, FOURTH AUDITOR'S OFFICE,
Washington, D. C., July 7, 1890.

SIR: If an increase is made in the clerical force of the Pension Office, in consequence of recent pension legislation, the correspondence between the Pension Bureau and this office will be increased to such an extent as to necessitate an additional force in this office.

Anticipating an increase in the Pension Bureau (clerical force), I submit the following estimate of the number of additional clerks that will thus be made necessary for this office, viz: two clerks of class 4, one clerk of class 3, one clerk of class 2, one clerk of class one, two clerks of the $1,000 class.

Respectfully,

JOHN R. LYNCH,
Auditor.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 441.

E. E. CHAPIN.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Attorney-General submitting for an appropriation the claim of E. E. Chapin, assistant attorney for the eastern and western districts of Wisconsin, amounting to $787.50.

JULY 15, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *July* 14, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of the 11th instant, submitting for an appropriation the claim of E. E. Chapin, assistant attorney for the eastern and western districts of Wisconsin, for expenses in cases growing out of improvements made by the Government in the Fox and Wisconsin Rivers, $787.50.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 11, 1890.

SIR: I inclose herewith copy of a letter of the 18th ultimo from Hon. Philetus Sawyer, United States Senator, respecting the claim of E. E. Chapin, assistant attorney for the eastern and western districts of Wisconsin, in cases growing out of improvements made by the Government in the Fox and Wisconsin Rivers, usually called flowage cases, in the matter of rent of office by him while so employed.

Attached to the copy of the letter of Senator Sawyer is a presentation of an account of $787.50, made by Mr. Chapin on January 6, 1890. He presents vouchers for the payment of the rent. They are on file in this Department.

Attached to this is also a letter of Mr. Chapin of the 19th ultimo, relating to an interview between him and the Hon. S. J. Randall, late chairman of the Committee on Appropriations, House of Representatives.

There is no appropriation under the control of this Department for the payment of the account. It is forwarded for transmission to Congress for its action.

Respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

UNITED STATES SENATE,
Washington, D. C., June 18, 1890.

DEAR SIR: You will please find inclosed a letter from Hon. E. E. Chapin, of Milwaukee, late special attorney for the Government in the overflow cases in Wisconsin. He expects office rent while in the employ of the Government. I presume it is a legitimate bill against the Government, and if there is no money at your disposal out of which the same can be paid, I presume a bill for the payment of the same can be passed through Congress if recommended by you.

Yours, truly,

PHILETUS SAWYER.

Hon. W. H. H. MILLER,
Attorney-General.

MILWAUKEE, WIS., *January* 6, 1890.

The United States to E. E. Chapin, special assistant United States attorney, appointed to represent the Government in the flowage damage claims and suits occasioned by the dams in the improvement of the Fox and Wisconsin Rivers, State of Wisconsin under the act of Congress approved March 3, 1875, and acts supplementary thereto.

For rent of office for the use of himself as such assistant United States attorney and the Government Commissioners duly appointed from June 30, 1886, to January 1, 1890, at $225 per annum $787.50

STATE OF WISCONSIN, *Milwaukee County, ss.:*

E. E. Chapin, of Milwaukee, Wis., being duly sworn, says that the foregoing statement and account is just and true; that the rent of office has been necessarily expended and paid out by him in and about the duties of his office as special assistant United States attorney aforesaid, and for the business of the Commissioners aforesaid exclusively; that there was no other place or room in and about the Government building at Milwaukee, Wis., wherein he could have an office for the discharge of the duties of his said office during said term; that the office so rented by him as aforesaid has been used for no other purpose or purposes except for Government business during said term; that the vouchers hereunto annexed, marked "Exhibit A," show the time of monthly payment for the rent above specified during said term, and that no part thereof has been paid to him as such, nor has he been reimbursed therefor, and that said sum of $787.50 is justly due him from the Government.

E. E. CHAPIN.

Subscribed and sworn to before me this 6th day of January, A. D. 1890.
[SEAL.]

CHAS. T. HICKOX,
Notary Public, Milwaukee County, Wis.

MILWAUKEE, *June* 19, 1890.

SIR: I have just received a letter from Senator Sawyer in relation to my office rent, an account for which, with vouchers, was sent to you the forepart of January, 1890.

Mr. Sawyer says that you have not as yet recommended payment on the same, but hopes that you will soon do so.

In January, 1889, when I was in Washington, I talked the matter over with Mr. Garland, who recommended its allowance up to January 1, 1889, which I took over to Mr. Sawyer, who advised me to present it to Mr. Randall, who would place it in the deficiency bill for that year. After my return home I received a letter from Mr. Randall the forepart of February, 1889, that he would attend to it, but for some reason it was omitted; and I was advised to wait until I had finished up with the Commissioners and until the Government building at Oshkosh was completed, which would give the Commissioners and myself an office, and then put in the full bill for the time for which the office was used absolutely for Government work in the flowage damage litigation, which I have done.

As you are aware from the correspondence in relation to this bill and my application for re-imbursement for this rent money, there was no office here in the Government building in Milwaukee, nor elsewhere, for myself and the Commissioners; and it was absolutely necessary that I should have an office for this Government work. No one disputes this. The bill is not large, but I need the money advanced by me for this rent.

You all do know that my entire time, for the time specified in the bill, was devoted to this important and responsible professional work, with small compensation, considering the importance and the amount of labor performed; and it would not be fair or just to deprive me of this amount due me for rent.

Senator Sawyer understands the whole matter and will explain to you more fully than I can write.

I trust, however, that you will allow and pay the bill, as I need it.

I am, as ever, yours, truly,

E. E. CHAPIN.

Hon. W. H. H. MILLER,
Attorney-General, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 442.

MAPS OF CHICKAMAUGA BATTLE-FIELD.

LETTER

FROM

THE SECRETARY OF THE TREASURY.

TRANSMITTING

An estimate submitted by the Secretary of War for an appropriation of $3,000 for maps of Chickamauga battle-field.

JULY 15, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
July 15, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate submitted by the Secretary of War for $3,000 for maps of the Chickamauga battle-field.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, July 15, 1890.

SIR: I have the honor to transmit herewith an estimate in the sum of $3,000, which is required for completing the series of maps now in process of preparation by this Department, relating to the Chickamauga and Chattanooga military campaign, Tennessee, and to recommend, in view of the importance of the matter, that the estimate may be sent to the Speaker of the House of Representatives as early as possible in order that it may, if possible, be submitted to the Committee on Appropriations to-day.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1891, by the War Department.

Detailed objects of expenditure and explanations.	Total amount to be appropriated under each head of appropriation	Amount appropriated for the current fiscal year ending June 30, 1890.
Maps of Chickamauga battle-field.		
Completing the series of maps now in progress of execution relating to the Chickamauga and Chattanooga campaigns. (Act of April 4, 1890)	$3,000.00	$2,500.00
NOTE.—The estimated cost of the above, by items, is as follows: Three base maps of campaign, drawing and engraving, $1,500; surveying and office expenses, $500; printing one edition, $1,000.		

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC No. 443.

SISSETON AND WAHPETON INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A copy of a communication from the Commissioner of Indian Affairs, and also a copy of a report by United States Indian Agent William McKusick, Sisseton Agency, S. Dak., relative to the destitute condition of the Sisseton and Wahpeton Indians.

JULY 17, 1890.—Referred to the Committee on Indian Affairs.

DEPARTMENT OF THE INTERIOR,
Washington, July 15, 1890.

SIR: I have the honor to transmit herewith copy of a communication of 14th instant from the Commissioner of Indian Affairs, and accompanying copy of a report from United States Indian Agent William McKusick, Sisseton Agency, S. Dak., relative to the destitute condition of the Sisseton and Wahpeton Indians, and to the urgent necessity of ratifying the agreement with those Indians now before Congress.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., July 14, 1890.

SIR: I have the honor to inclose herewith two copies of a letter from the United States Indian agent, Sisseton Agency, S. Dak., in relation to the destitute condition of the Sisseton and Wahpeton Indians living and having allotments on the Lake Traverse Reservation, and to request that one of them be forwarded to the House of Representatives with a view of showing that body the urgent necessity of ratifying the agreement with those Indians now before it.

Very respectfully,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

SISSETON AGENCY, S. DAK., *June* 25, 1890.

SIR: I have the honor of calling attention to the condition of the Sisseton and Wahpeton tribe of Indians living and having allotments on the Lake Traverse Reservation, South Dakota. My annual report, together with all other reports and references, show that this section of country suffered severely by drought during the summer of 1889, and that nearly all of the crops on the Lake Traverse Reservation were blasted and dried up. The Indians of this reservation having taken allotments in 1887 began to make quite an effort at farming in 1888 and 1889, and used up all the means they had in opening up land, building, etc., and became almost entirely dependent upon their crops for a living.

I found these Indians so poor and destitute in the fall of 1889, after the drought of that season, that I immediately reported their condition, and the honorable Secretary of the Interior at once authorized me to expend a sum not exceeding $2,000 in the purchase of flour, pork, and beans for the relief of the destitute. Said provisions were purchased in November last, and have been carefully issued as directed, and there are no further provisions for these destitute people. These Indians are in want of provisions. Their destitution presses them so hard that the few trees that should be left to grow are being cut and hauled away to purchase something to live on. They are digging the wild turnips, and I often hear of ponies and oxen being sold for their value to obtain provisions for their families. The agency physician, after visiting the sick, often reports the destitution and poverty of the families. These Indians have but few resources for obtaining the necessaries of life. They obtain a limited amount of fish from the lakes, and this is all the wild game on this reservation. There is but little timber, which is located around the lakes and in the ravines, and this is wrongfully being cut from necessity, as before stated.

A very few Indian men can get employment among the whites, as they are not that far advanced in civilization to command much pay as laborers. The old chief Renville and many of the leading men of the tribe have visited me of late, and called my attention to the destitution of the people. They say that if the tribe has anything coming to it from the Government from any source whatever, that it is the earnest desire of all that sufficient supplies and provisions be purchased and issued to the tribe to relieve them from their destitution and poverty. These leading Indians apply for food for the tribe and insist that such destitution and poverty should not be allowed to continue. They say that a small payment now will do more good than a large one after many of them have died from destitution and want. They despair of the relief from the bill now before Congress for the payment of back annuities, and earnestly apply for the earliest assistance that can be obtained.

In view of all that is heretofore represented and the uncertainty of the payment of their annuities, I earnestly recommend that $5,000 be expended in the purchase of flour, pork, and beans for the destitute Indians of the Lake Traverse Reservation, South Dakota, and be issued in such quantities and under such restrictions as the honorable Secretary of the Interior may direct. This would furnish relief for all immediate wants, and the future might place them in a more prosperous situation.

Very respectfully,

WILLIAM MCKUSICK,
United States Indian Agent.

Hon. T. J. MORGAN,
Commissioner of Indian Affairs, Washington, D. C.

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 444.

APPOINTMENTS AT LARGE TO UNITED STATES MILITARY ACADEMY.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

Petitions from officers of the U. S. Army praying that the number of appointments at large to the United States Military Academy be increased to twenty, and that such appointments be restricted to the sons of officers and soldiers and the lineal descendants of officers of the volunteer forces of the late war.

JULY 18, 1890.—Referred to the Committee on Military Affairs.

WAR DEPARTMENT,
Washington City, July 17, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, petitions from officers of the U. S. Army, praying for the reasons therein given that the number of appointments at large to the U. S. Military Academy may be increased to twenty, and that such appointments be restricted to the sons of officers and soldiers and to the lineal descendants of officers of the volunteer forces of the late war.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

COMMITTEE ON MILITARY AFFAIRS,
United States House of Representatives,
(Through the Secretary of War).

Your petitioners, commissioned officers of the Army of the United States, would humbly request that the number of appointments at large to the United States Military Academy be increased to twenty per annum, and that such appointments be restricted to the sons of Army officers and soldiers, and to the lineal descendants of officers of the volunteer forces of the late war, in such proportion as in your discretion may seem just.

Your petitioners would represent that there are 2,170 commissioned officers in the Army, a large proportion of whom are married and have sons whom they naturally desire to follow in their own footsteps. From the nature of their duties Army officers have no political influence, and their only chance for securing appointments for their sons is from the President. Under present rulings the latter can only have appointees at the Military Academy at one time (which is an average, allowing for casualties) of three per annum. Your petitioners would submit that so small a number of appointments is a practical exclusion of the sons of Army officers from the military profession.

In all other nations there are special schools for officers' sons, and they have exceptional opportunities of following their fathers' profession; it is believed that experience shows that as a class they make exceptionally valuable officers.

Your petitioners would also represent that Army officers are debarred from civil pursuits, and are therefore without those facilities for starting their sons in life that all fathers naturally seek. The proposed enlargement of appointments at large would tend to lessen this disability, and is believed to be an act of justice that will likewise benefit the country.

And your petitioners will ever pray.

Guy V. Henry, major, Ninth Cavalry; L. J. Hearn, first lieutenant, Twenty-first Infantry; E. D. Dimmick, captain, Ninth Cavalry; John S. Loud, captain, Ninth Cavalry; August V. Kautz, colonel, Eighth Infantry; R. F. Ames, first lieutenant, Regimental Quartermaster, Eighth Infantry; Thos. Wilhelm, captain, Eighth Infantry; E. B. Savage, captain, Eighth Infantry; Chas. Porter, captain, Eighth Infantry; Alfred T. Smith, lieutenant-colonel, Eighth Infantry; Patk. Cusack, captain, Ninth Cavalry; E. N. Jones, jr., second lieutenant, Eighth Infantry; W. P. Richardson, first lieutenant and adjutant, Eighth Infantry; Dan'l T. Wells, captain, Eighth Infantry; C. A. Earnest, captain, Eighth Infantry; Timothy Wilcox, captain and assistant surgeon; F. A. Whitney, captain, Eighth Infantry; W. A. Mercer, first lieutenant, Eighth Infantry; Edward Lynch, first lieutenant, Eighth Infantry; Julian M. Cabell, first lieutenant and assistant surgeon, U. S. Army; W. L. Pitcher, first lieutenant, Eighth Infantry; Edwin T. Cole, second lieutenant, Eighth Infantry; John F. McBlain, first lieutenant, Ninth Cavalry; Jos. Garrard, captain, Ninth Cavalry; G. S. Bingham, second lieutenant, Ninth Cavalry; Grote Hutcheson, second lieutenant, Ninth Cavalry; F. V. Kriig, second lieutenant Eighth Infantry.

A petition, same as preceding, signed by—

R. F. Bernard, major Eighth Cavalry; B. B. Buck, second lieutenant Sixteenth Infantry; Geo. S. Hoyt, captain and acting quartermaster U. S. Army; Geo. H. Sands, first lieutenant Sixth Cavalry; H. B. Osgood, captain and commissary of subsistence; Geo. D. Wallace, captain Seventh Cavalry; H. S. Bishop, first lieutenant Fifth Cavalry.

A petition, same as preceding, signed by—

W. H. Miller, captain Eighteenth Infantry; R. B. Turner, first lieutenant Sixth Infantry; C. L. Beckurts, second lieutenant Sixth Infantry.

A petition, same as preceding, signed by—

James Parker, captain Fourth Cavalry; L. H. Carpenter, major Fifth Cavalry; Geo. S. Anderson, captain Sixth Cavalry; Samuel Reber, second lieutenant Fourth Cavalry; Charles P. Elliott, first lieutenant Fourth Cavalry; Wm. Baird, first lieutenant Sixth Cavalry; B. K. West, second lieutenant Sixth Cavalry.

A petition, same as preceding, signed by—

Wm. H. Jordan, lieutenant-colonel Nineteenth Infantry; Fred. A. Smith, first lieutenant Twelfth Infantry; Leon A. Matile, captain Eleventh Infantry; Jno. L. Clem, captain and acting quartermaster; A. A. DeLaffre, captain Medical Department, U. S. A.; C. S. Hodges, first lieutenant Twenty-fifth Infantry; Levin C. Allen, first lieutenant Sixteenth Infantry; C. A. Williams, first lieutenant Twenty-first Infantry; E. Rice, captain Fifth Infantry.

A petition, same as preceding, signed by—

W. L. Kellogg, major Nineteenth Infantry; W. M. Williams, first lieutenant Nineteenth Infantry.

A petition, same as preceding, signed by—

James Halloran, captain Twelfth Infantry; A. C. Sharpe, first lieutenant Twenty-second Infantry; E. A. Root, second lieutenant Twenty-second Infantry.

A petition, same as preceding, signed by—

Joseph G. Tilford, colonel Ninth U. S. Cavalry; Walter L. Tinley, first lieutenant and adjutant Ninth Cavalry; John J. Haden, first lieutenant Eighth Infantry; G. W. Ruthus, second lieutenant Eighth Infantry; A.

W. Corliss, captain Eighth Infantry, M. B. Hughes, captain Ninth Cavalry; J. R. Kean, captain and assistant surgeon; W. G. Worth, captain Eighth Infantry; E. F. Ladd, first lieutenant, Ninth Cavalry; E. Herbert, first lieutenant, Eighth Infantry; C. M. Pettis, second lieutenant Eighth Infantry; C. A. Stedman, captain Ninth Cavalry; G. W. Adams, captain and assistant surgeon U. S. A.; Chas. W. Taylor, first lieutenant Ninth Cavalry; Henry H. Wright, first lieutenant Ninth Cavalry; E. R. Kellogg, major Eighth Infantry.

A petition, same as preceding, signed by—

Guy V. Henry Major, Ninth Artillery, brevet-colonel; John S. Loud, captain Ninth Cavalry; J. Hearn, first lieutenant Infantry; E. D. Dimmick, captain Ninth Cavalry; H. V. Plummer, captain Ninth Cavalry.

A petition same, as preceding, signed by—

J. J. VanHorn, lieutenant-colonel Twenty-fifth Infantry; E. A. Edwards, first lieutenant Twenty-fifth Infantry; Walter S. Scott, first lieutenant Twenty-fifth Infantry; Charles F. Robe, captain Twenty-fifth Infantry; E. R. Morris, assistant surgeon, U. S. Army; G. P. Ahern, second lieutenant Twenty-fifth Infantry; W. F. Martin, second lieutenant Twenty-fifth Infantry; G. W. Simpson, chaplain U. S. Army; Charles Bentzoni, captain Twenty-fifth Infantry.

A petition, same as preceding, signed by—

J. W. Summerhayes, captain and acting-quartermaster U. S. Army; Edwin W. Johnson, Jr., second lieutenant Tenth Infantry; E. H. Plummer, first lieutenant regimental quartermaster Tenth Infantry.

A petition, same as preceding, signed by—

John N. Andrews, major Second Infantry; Thomas H. Bradley, captain Twenty-first Infantry; L. M. O'Brien, captain Seventeenth Infantry; St. C. J. Chubb, first lieutenant Seventeenth Infantry; E. H. Brooke, first lieutenant Twenty-first Infantry; William H. Mann, first lieutenant Seventeenth Infantry; W. G. Spencer, assistant surgeon U. S. Army; F. E. Eltonhead, first lieutenant Twenty-first Infantry; W. Y. Stamper, second lieutenant Twenty-first Infantry; James A. Haughey, captain Twenty-first Infantry; Daniel Cornman, captain Twenty-first Infantry; Frederick S. Wild, second lieutenant Seventeenth Infantry.

A petition, same as preceding, signed by —

A. P. Morrow, lieutenant-colonel Sixth Cavalry; Chas. S. Davis, captain Tenth Infantry; John Drum, captain Tenth Infantry; Henry Lippincott, surgeon U. S. Army; M. R. Peterson, second lieutenant Tenth Infantry; John H. Shollenberger, first lieutenant Tenth Infantry.

A petition, same as preceding, signed by—

T. H. Logan, captain Fifth Infantry; Frederick Perkins, second lieutenant Fifth Infantry.

A petition, same as preceding, signed by—

J. S. Conrad, lieutenant-colonel Twenty-second Infantry; C. C. Cusick, captain Twenty-second Infantry; J. W. Finley, captain and assistant surgeon U. S. A.; J. J. Crittenden, first lieutenant Twenty-second Infantry.

A petition, same as preceding, signed by—

Levi F. Burnett, captain Seventh Infantry; G. W. McJan, first lieutenant Seventh Infantry; Robert Alexander, second lieutenant Seventh Infantry; Wm. S. Graves, second lieutenant Seventh Infantry; H. C. Merriam, colonel Seventh Infantry; A. B. Johnson, first lieutenant and adjutant Seventh Infantry; L. D. Greene, first lieutenant Seventh Infantry, regimental quartermaster; M. C. Blaine, post chaplain U. S. Army; John R. M. Taylor, second lieutenant Seventh Infantry; Fred H. Sargent, second lieutenant Seventh Infantry; William Quinton, captain Seventh Infantry; F. M. H. Kendrick, captain Seventh Infantry; D. A. Frederick, first lieutenant Seventh Infantry; Constant Williams, captain Seventh Infantry; C. A. Booth, first lieutenant Seventh Infantry; T. S. Kirtland, captain Seventh Infantry.

[First indorsement.]

POST OF FORT LOGAN, COLO., *June* 12, 1890.

Respectfully forwarded to the Adjutant-General of the Army, through military channel.

H. C. MERRIAM,
Colonel Seventh Infantry, Commanding Post.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
St. Louis, Mo., June 16, 1890.

Respectfully forwarded through headquarters Division of the Missouri, approved

W. MERRITT,
Brigadier-General, Commanding.

[Third indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI,
Washington, D. C., June 19, 1890.

Respectfully forwarded to the Adjutant-General of the Army.

J. M. SCHOFIELD.

A petition, same as preceding, signed by—

Wm. H. Penrose, lieutenant-colonel Sixteenth Infantry, brevet brigadier-general U. S. Army; Allyn Capron, captain First Artillery; Clermont L. Best, jr. first lieutenant First Artillery; Maury Nichols, second lieutenant, Sixteenth Infantry; Elias Chandler, first lieutenant Sixteenth Infantry; George H. Palmer, captain Sixteenth Infantry; W. K. Wright, first lieutenant Sixteenth Infantry; W. D. Wolverton, surgeon U. S. Army; John C. Gregg, second lieutenant Sixteenth Infantry; M. M. Blunt, colonel Sixteenth Infantry; John B. Parke, major Sixteenth Infantry.

A petition, same as preceding, signed by—

John H. Janeway, major and surgeon U. S. Army.

[First Indorsement.]

BENICIA BARRACKS, CAL., *June* 14, 1890.

Respectfully forwarded, by request, to the Adjutant-General of the Army, Washington, D. C.

JAMES S. CASEY,
Lieutenant-Colonel First Infantry, Commanding Post.

A petition, same as preceding, signed by—

Wm. J. Lyster, major Sixth Infantry; J. F. Munton, captain Sixth Infantry; Thos. G. Townsend, first lieutenant Sixth Infantry; T. G. Troxel, captain U. S. Army (retired); C. P. Miller, captain and assistant quartermaster.

A petition, same as preceding, signed by—

P. H. Ellis, captain Thirteenth Infantry; John S. Bishop, captain Thirteenth Infantry; Paul R. Brown, assistant surgeon U. S. Army; Edw. P. Lawton, second lieutenant, thirteenth Infantry.

[First Indorsement.]

LITTLE ROCK BARRACKS, *June* 18, 1890.

Respectfully forwarded to the Adjutant-General U. S. Army.

P. H. ELLIS,
Captain Thirteenth Infantry, Commanding.

A petition, same as preceding, signed by—

Carl Koops, second lieutenant Thirteenth Infantry; Benj. W. Atkinson, second lieutenant Sixth Infantry; John S. Seibold, post chaplain; J.P. Schindell, captain Sixth infantry.

A petition, same as preceding, signed by—

W. M. Van Horne, captain Seventeenth infantry; C. H. Greene, captain Seventeenth infantry; Thomas Sharp, captain Seventeenth Infantry; Geo. H.Roach, first lieutenant Seventeenth Infantry; Wm. R. Dashiell, second lieutenant Seventeenth Infantry; Charles H. Muir, second lieutenant Seventeenth Infantry; J. A. Lockwood, first lieutenant Seventeenth Infantry; Clarence E. Bennett, captain Seventeenth Infantry, U. S. Army; A. H. Appel, assistant surgeon; C. S. Roberts, captain Seventeenth Infantry; Harry C. Egbert, major Seventeenth Infantry; M. R. Morgan, lieutenant-colonel, asssistant commisary-general of subsistence; D. P. Miller, captain and assistant quartermaster; G. W. Candee, paymaster U. S. Army; R. Williams, colonel and assistant adjutant general.

A petition, same as preceding, signed by—

M. A. Cochran, lieutenant-colonel Fifth Infantry; S. Allen Dyer, first lieutenant Twenty-third Infantry; Clarence R. Edwards, second lieutenant Twenty-third Infantry; E. P. Pendleton, first lieutenant Twenty-third Infantry; J. M. Partello, first lieutenant Fifth Infantry; T. M. K. Smith, captain Twenty-third Infantry; J. E. Normoyle, second lieutenant Twenty-third Infantry; O. W. Pollock, captain Twenty-third Infantry; J. O. Skinner, assistant surgeon U. S. Army; George Robinson; Wm. H. C. Bowen, first lieutenant Fifth Infantry; Frank D. Baldwin, captain Fifth Infantry; Robt. W. Rose, second lieutenant Fifth Infantry.

A petition, same as preceding, signed by—

Geo. B. Backus, first lieutenant first Cavalry; Jno. Q. Adams, captain First Cavalry; W. W. Gray, assistant surgeon, U. S. A.

A petition, same as preceding, signed by—

R. P. Strong, captain Fourth Artillery; Sam R. Jones, first lieutenant Fourth Artillery; Edward Field, captain Fourth Artillery; S. W. Taylor, first lieutenant Fourth Artillery.

A petition, same as preceding, signed by—

H. C. Hasbrouck, major Fourth Artillery; Frederick Fulger, captain Fourth Artillery; W. C. Gorgas, assistant surgeon, U. S. A.; Adelbert Cronkhite, first lieutenant Fourth Artillery; A. R. Paxton, first lieutenant Fifteenth Infantry; Morris K. Barron, second lieutenant Fourth Artillery.

[First indorsement.]

FORT BARRANCAS, Fla., *June* 19, 1890.

Respectfully forwarded to the Adjutant-General, U. S. A.

FREDERICK FUGER,
Captain Fourth Artillery, Commanding Post.

A petition, same as preceping, signed by—

Z. R. Bliss, colonel Twenty-fourth Infantry, U. S. A.; Alex. S. B. Keyes, captain Tenth Cavalry; F. Van Vliet, major Tenth Cavalry; H. S. Whipple, second lieutenant Tenth Cavalry; Chas. C. Wood, captain Twenty-fourth U. S. Infantry; Allen Allensworth, chaplain Twenty-fourth Infantry; Henry W. Hovey, first lieutenant Twenty-fourth Infantry; E. T. Comegys, assistant surgeon, U. S. A.; C. L. Collins, second lieutenant Twenty-fourth Infantry; Geo. H. Evans, first lieutenant Tenth Cavalry; J. D. Leitch, second lieutenant Twenty-fourth Infantry; Wm. H. Arthur, assistant surgeon, U. S. A.; J. J. Brereton, first lieutenant and adjutant Twenty-fourth Infantry.

A petition, same as preceding, signed by—

Richard I. Dodge, colonel Eleventh Infantry; J. D. Hall, surgeon, U. S. A.; P. M. B. Travis, first lieutenant Eleventh Infantry; Wm. Weigel, lieutenant Eleventh Infantry; Odon Gurovits, second lieutenant Eleventh Infantry; R. M. Blatchford, first lieutenant Eleventh Infantry; E. C. Gilbreath, captain Eleventh Infantry; H. R. Lee, second lieutenant Eleventh Infantry; Charles P. Russ, second lieutenant Eleventh Infantry; J. H. Philbrick, first lieutenant and adjutant Eleventh Infantry.

A petition, same as preceding, signed by—

E. C. Woodruff, major Fifth Infantry; Chas. B. Thompson, first lieutenant Fifth Infantry; Henry Romeyn, captain Fifth Infantry; Geo. P. Bordden, first lieutenant Fifth Infantry.

A petition, same as preceding, signed by—

Wm. H. Carter, captain Sixth Cavalry; A. M. Wetherill, captain Sixth Infantry; Chas. F. Mason, assistant surgeon, U. S. A.; G. M. Williamson, second lieutenant Sixth Cavalry; A. P. Blocksom, first lieutenant Sixth Cavalry; T. C. Tupper, major Sixth Cavalry; L. Daniel, second lieutenant Sixth Cavalry; Robert Hanna, captain Sixth Cavalry; A. B. Shattuck, second lieutenant Sixth Infantry; F. D. Webster, second lieutenant Sixth Infantry; W. J. Larkin, chaplain U. S. A., Fort Lewis, Colo.

A petition, same as preceding, signed by—

Adna R. Chaffee, major ninth cavalry. C. E. Price, captain and assistant surgeon U. S. A. Chaplain W. H. Scott, U. S. A. Wm. Wedemeyer, captain Sixteenth Infantry; L. H Ramsey, captain Ninth Cavalry; C. H. Noble, captain Sixteenth Infantry; S. R. Whitall, captain Sixteenth Infantry; C. R. Tyler, first lieutenant Sixteenth Infantry; R. R. Steedman, first lieutenant Sixteenth Infantry; Chas. P. George, second lieutenant Sixteenth Infantry; E. S. Wright, second lieutenant Ninth Cavalry.

A petition, same as preceding, signed by—
A. C. Wildrick, major Fifth Artillery; W. Butler Beck, captain Fitfh Artillery; W. H. Pearson, chaplain U. S. A.; C. C. Gallup, second lieutenant Fifth Artillery; Geo. W. Crabb, captain Fifth Artillery; O. E. Wood, first lieutenant Fifth Artillery.

A petition, same as preceding, signed by—
L. L. Livingston, lieutenant-colonel Third Artillery; Jno. A. Thurston, captain Third Artillery; Chas. G. Woodward, first lieutenant Third Artillery.

A petition, same as preceding, signed by—
R. Lodor, lieutenant-colonel, acting brevet colonel U. S. A.; H. W. Hubbell, captain First Artillery; E. M. Russell, captain First Artillery; Robert B. Benham, captain and assistant surgeon U. S. A.; Robert H. Patterson, first lieutenant First Artillery; Eugene T. Wilson, second lieutenant First Artillery; J. W. MacMurray, captain First Artillery; Jno. Pope, first lieutenant First Artillery; G. N. Whistler, first lieutenant Fifth Artillery.

A petition, same as preceding, signed by—
T. W. Jones, first lieutenant Tenth Cavalry; C. B. McClellan, major Tenth Cavalry; Wm. T. Littebrant, second lieutenant Tenth Cavalry; Wm. H. Beck, captain Tenth Cavalry; G. E. Stockle, second lieutenant Tenth Cavalry; Wm. H. Smith, first lieutenant Tenth Cavalry; W. E. Shipp, first lieutenant Tenth Cavalry.

A petition, same as preceding, signed by—
J. Ford Kent, major Fourth Infantry; G. L. Luhn, captain Fourth Infantry; Henry Seton, captain Fourth Infantry; Horace Neide, captain Fourth Infantry; H. T. Surrill, assistant surgeon U. S. Army; Joseph Kupp, captain Fourth Infantry; Ed. L. Bailey, first lieutenant Fourth Infantry; Magnus O. Hollis, second lieutenant Fourth Infantry; John J. O'Brien, first lieutenant Fourth Infantry; E. H. Browne, second lieutenant Fourth Infantry; Eli A. Helmick, second lieutenant Fourth Infantry.

A petition, same as preceding, signed by—
Henry Wygant, captain Twenty-fourth Infantry; Mason M. Maxon, captain Tenth Cavalry; F. H. Weaver, chaplain Tenth Cavalry; John Little, second lieutenant Twenty-fourth Infantry; Chas. V. Donaldson, second lieutenant Twenty-fourth Infantry; Ben. W. Leavell, first lieutenant Twenty-fourth Infantry; A. C. Ducat, jr., first lieutenant Twenty-fourth Infantry.

A petition, same as preceding, signed by—
Wm. Lassiter, second lieutenant First Artilery.

A petition, same as preceding, signed by—
H. F. Brewerton, captain Fifth Artillery; D. H. Kinzie, captain Fifth Artillery; E. M. Blosee, second lieutenant Fifth Artilery; Edward L. McGlachlin, jr., second lieutenant Fifth Artillery; G. Le R. Irwin, additional second lieutenant Fifth Artillery; G. W. Dunbar, post chaplain U. S. Army; Wm. R. Hamilton, first lieutenant Fifth Artillery; J. E. Sawyer, first lieutenant Fifth Artillery; Smith E. Pollard, first lieutenant First Infantry; J. R. Richards, jr., first lieutenant Fourth Cavalry; Louis P. Brant, first lieutenant First Infantry; Wm. H. Coffin, first lieutenant and adjutant Fifth Artillery; Wm. M. Graham, lieutenant-colonel Fifth Artillery, brevet brigadier-general U. S. Army; Thomas H. Barry, first lieutenant First Infantry; Chas. Morris, captain Fifth Artillery.

A petition, same as preceding, signed by—
M. C. Wyeth, captain, Medical Department U. S. Army.

A petition, same as preceding, signed by—
J. F. Bell, second lieutenant Seventh Cavalry; W. P. Burnham, second lieutenant Sixth Infantry; T. Q. Donaldson, jr., first lieutenant Seventh Cavalry; John S. Grisard, second lieutenant Thirteenth Infantry; George E. Pond, captain and acting quartermaster U. S. Army; James D. Mann, second lieutenant Seventh Cavalry; S. R. H. Tompkins, second lieutenant Seventh U. S. Cavalry; W. C. Bennell, second lieutenant Sixth U. S. Infantry; W. W. Robinson, jr., first lieutenant Seventh Cavalry; A. B. Dyer, first lieutenant Fourth Artillery; George W. Gatchell, second lieutenant Fourth Artillery; Eli D. Hoyle, first lieutenant Second Artillery; C. D. Parkhurst, first lieutenant Fourth Artillery; John A. Harman, second lieutenant Seventh Cavalry; E. C. Bullock, second lieutenant Seventh Cavalry; James W. Forsyth, colonel Seventh Cavalry; S. M. Whitside, major Seventh Cavalry; E. B. Williston, major Third Artillery; Jas. W. Powell, jr., captain Sixth Infantry; Ezra B. Fuller, first lieutenant Seventh Cavalry; W. S. Edgerly, captain Seventh Cavalry; Fred. W. Thibaut, captain Sixth Infantry; W. J. Nicholson, first lieutenant Seventh Cavalry; John Van P. Hoff, captain medical department U. S. Army; E. A. Brewer, first lieu-

tenant Seventh Cavalry; F. S. Strong, first lieutenant Fourth Artillery; F. C. Grugan, captain Second Artillery; M. Moylan, captain Seventh Cavalry; R. R. Ball, assistant surgeon U. S. Army; E. A. Garlington, first lieutenant Seventh Cavalry; J. C. Gresham, first lieutenant Seventh Cavalry; J. C. Waterman, second lieutenant Seventh Cavalry.

[Indorsement.]

FORT RILEY, KANS., *June* 27, 1890.

Respectfully forwarded to the Adjutant-General of the Army as requested by General Kautz in accompanying letter.

JAMES W. FORSYTH,
Colonel Seventh Cavalry, Commanding.

A petition, same as preceding, signed by—

Geo. L. Andrews, colonel, Twenty-fifth Infantry; Henry P. Ritzius, captain Twenty-fifth Infantry; Charles G. French, second lieutentant, Twenty-fifth Infantry; Calvin DeWitt, major and surgeon, U. S. Army; R. H. R. Loughborough, first lieutenant, Twenty-fifth Infantry; J. O. Green, second lieutenant, Twenty-fifth Infantry; T. H. McGuire, second lieutenant. Twenty-fifth Infantry; W. I. Sanborn, captain, Twenty-fifth Infantry; J. McMartin, first lieutenant, Twenty-fifth Infantry; C. A. Devol, first lieutenant and regimental quartermaster, Twenty-fifth Infantry; Geo. Andrews, first lieutenant and adjutant, Twenty-fifth Infantry; D. B. Wilson, captain, Twenty-fifth Infantry; J. C. Ord, first lieutenant, Twenty-fifth Infantry; U. G. McAlexander, second lieutenant, Twenty-fifth Infantry; Gaines Lawson, captain, Twenty-fifth Infantry.

A petition, same as preceding, signed by—

Lewis Johnson, captain, Twenty-fourth Infantry, brevet-lieutenant colonel, U. S. Army; Jas. N. Morgan, brevet major, U. S. Army, captain, Twenty-fourth Infantry; Edwin M. Mann, acting assistant surgeon, U. S. Army; M. C. Wessells, captain, Twenty-fourth Infantry; Powhatan H. Clarke, second lieutenant, Tenth Cavalry; J. W. Watson, first lieutenant, Tenth Cavalry; Chas. E. Tayman, second lieutenant, Twenty-fourth Infantry; Frank H. Mills, first lieutenant. Twenty-fourth Infantry.

[First indorsement.]

SAN CARLOS, ARIZ., *June* 17, 1890.

Respectfully forwarded,

LEWIS JOHNSON,
Captain, Twenty-fourth Infantry, Commanding Post.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF ARIZONA,
Los Angeles, Cal., June 21, 1890.

Respectfully forwarded through Headquarters Division of the Pacific. Approved

B. H. GRIERSON,
Brigadier-General, Commanding.

[Third indorsement.]

HEADQUARTERS DIVISION OF THE PACIFIC,
San Francisco, Cal., June 24, 1890.

Respectfully forwarded to the Adjutant-General of the Army. Approved and recommended.

NELSON A. MILES,
Brigadier-General, Commanding.

A petition, same as preceding, signed by—

James S. Brisbin, colonel First United States Cavalry; Chas. D. Viele, major First Cavalry; John W. French, captain Twenty-fifth Infantry; A. K. Arnold, lieutenant-colonel First Cavalry; Henry H. Hall, post chaplain U. S. Army; F. K. Upham, captain First Cavalry; S. Burkhardt, jr., second lieutenant Twenty-fifth Infantry; Max Wesendorff, captain First Cavalry; Owen J. Sweet, captain Twenty-fifth Infantry; H. A. Leonhauser, first lieutenant Twenty-fifth Infantry; J. G. Galbraith, lieutenant First Cav-

alry; Jno. Pitcher, lieutenant First Cavalry; R. P. Page Wainwright, first lieutenant and adjutant First Cavalry; Henry C. Barber, second lieutenant First Cavalry; A. G. Forse, captain First Cavalry; W.H. Miller, first lieutenant First Cavalry; S. C. Robertson first lieutenant First Cavalry; A. L. Mills, first lieutenant First Cavalry.

A petition, same as preceding, signed by—

H. DeLany, captain Ninth Infantry; E. B. Robertson, first lieutenant Ninth Infantry; E. Wittenmyer, second lieutenant Ninth Infantry; D. L. Huntington, surgeon U. S. Army; W. R. Maize, captain Twentieth Infantry; H. Sweeney, captain U. S. Army, retired.

A petition, same as preceding, signed by—

Emil Adam, major, Sixth Cavalry; J. M. Banister, captain and assistant surgeon, U. S. Army; G. L. Scott, first lieutenant, Sixth Cavalry; H. P. Kingsbury, captain, Sixth Calvary; J. J. Pershing, second lieutenant, Sixth Calvary; A. W. Brewster, second lieutenant, Fourth Infantry.

[First indorsement].

FORT STANTON, N. MEX., *June* 25, 1890.

Respectfully forwarded through the Adjutant-General to the Committee on Military Affairs, United States House of Representatives.

EMIL ADAM,
Major, Sixth Calvary, Commanding Post.

A petition, same as preceding, signed by—

F. E. Lacey, captain, Tenth Infantry; Bogardus Eldridge, first lieutenant, Tenth Infantry; I. W. Littell, first lieutenant, Tenth Infantry; Francis E. Lacey, jr., second lieutenant, Tenth Infantry.

A petition, same as preceding, signed by—

F. E. Trotter, captain Fourteenth Infantry; Dan W. Burke, captain Fourteenth Infantry; John Murphy, first lieutenant, Fourteenth Infantry; Frank F. Eastman, second lieutenant, Fourteenth Infantry; Jos. P. O'Niel, second lieutenant, Fourteenth Infantry; R. T. Yeatman, first lieutenant and adjutant, Fourteenth Infantry; E. T. Winston, second lieutenant, Fourteenth Infantry; W. P. Goodwin, first lieutenant, Fourteenth Infantry; C. H. Martin, second lieutenant, Fourteenth Infantry; C. A. Johnson, first lieutenant, Fourteenth Infantry; J. H. Gustin, first lieutenant, and regimental quartermaster, Fourteenth Infantry; Wm. K. Jones, second lieutenant, Fourteenth Infantry; C. H. Warrens, captain Fourteenth Infantry; G. H. G. Gale, first lieutenant, Fourth Cavalry; W. E. Waters, surgeon, U. S. Army; Patrick Hasson, captain, Fourteenth Infantry; H. G. Burton, assistant surgeon U. S. Army.

A petition, same as preceding, signed by—

A. B. MacGowan, captain Twelfth U. S. Infantry; B. A. Poore, second lieutenant Twelfth Infantry; A. G. Tassin, captain Twelfth Infantry; George J. Godfrey, second lieutenant Twelfth Infantry; Jno. L. Viven, captain Twelfth Infantry; Earl C. Carnahan, second lieutenant Twelfth Infantry.

A petition, same as preceding, signed by—

Wm. Sinclair, major Second Artillery; Geo. McCreery, assistant surgeon U. S. Navy; J. C. Scantling, captain Second Artillery; A. C. Taylor, captain Second Artillery; James E. Eastman, first lieutenant Second Artillery; W. S. Peirce, second lieutenant Second Artillery.

A petition, same as preceding, signed by—

J. J. Upham, lieutenant-colonel Third Cavalry; Geo. H. Torney, captain and assistant surgeon U. S. Army; C. E. Hargous, captain Fifth Infantry; J. O. Mackay, first lieutenant Third Cavalry; W. H. Chatfield, second lieutenant Fifth Infantry; E. S. Robins, second lieutenant Third Cavalry; H. L. Ripley, first lieutenant Third Cavalry; J. B. Johnson, captain Third Cavalry.

A petition, same as preceding, signed by—

D. M. Appel, assistant surgeon U. S. Army; E. P. Ewers, captain Third Infantry; Mason Carter, captain Fifth Infantry; T. M. Defrees, first lieutenant Fifth Infantry; F. C. Kimball, second lieutenant Fifth Infantry; S. W. Miller, first lieutenant and regimental quartermaster Fifth Infantry.

A petition, same as preceding, signed by—

S. M. Horton, surgeon U. S. Army; G. S. Grimes, captain Second Artillery; Harry C. Cushing, captain Fourth Artillery; George Mitchell, captain Second Artillery; Sebree Smith, first lieutenant Second Artillery; A. F. Curtis, second lieutenant Second Artillery; John Cochran, assistant surgeon U. S. Army; John Mendenhall, colonel Second Artillery.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 445.

REPORT

UPON THE

SEWERAGE OF THE DISTRICT OF COLUMBIA.

RUDOLPH HERING,
SAMUEL M. GRAY,
FREDERIC P. STEARNS,
Board of Sanitary Engineers.

June, 1890.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1890.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATING TO

System of Sewerage in the District of Columbia.

JULY 17, 1890.—Referred to the Committee on District of Columbia.

To the Senate and House of Representatives:

The act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1890, provides among other things that the President shall appoint three competent sanitary engineers to examine and report upon the system of sewerage existing in the District of Columbia, together with such suggestions and recommendations as may to them seem necessary and desirable for the modification and extension of the same, which report was to be transmitted to Congress by the President at its next session.

In pursuance of the authority thus conferred, on the 17th day of August, 1889, I appointed Rudolph Hering, of New York, Samuel M. Gray, of Rhode Island, and Frederic P. Stearns, of Massachusetts, to make this examination and report.

The gentlemen named were believed to have such ability and experience as sanitary engineers as to guaranty an intelligent and exhaustive study of the problems submitted to them.

I transmit herewith their report, which has just been submitted to me, for the consideration of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION, *July* 17, 1890.

CONTENTS.

		Page.
PART I.	Introduction	11
	Topography and present conditions	11
	History of works	12
	Problem stated	17
PART II.	Disposal and purification of the sewage	19
	Subsidence	19
	Straining through coarse filters	20
	Chemical precipitation	20
	Filtration through land	21
	Discharge of the sewage into the Potomac River	22
	General considerations	22
	Flow of the Potomac River	23
	Location of possible outlets	26
	Outlet at Easby's Point	29
	Outlet opposite Gravelly Point	29
	Outlet above Naval Magazine	29
PART III.	Protection of low portions of the city from river floods	31
PART IV.	Collection and delivery of the sewage at the outfall and removal of the storm-water	35
	Future population of the District of Columbia	35
	Amount of sewage requiring removal	37
	Maximum rain-falls and amount of storm-water reaching sewers	38
	Form and material of sewers and minimum velocities	39
	Pumping sewage	40
	General systems of sewerage	41
	General description of projects	43
	Project I	44
	Project II	46
	Project III	46
	Project IV	48
	Project V	48
	Comparison of projects	49
	Conclusions	50
PART V.	Appendix	55
	A. Detailed description of works recommended	55
	B. Estimates of cost	65
	C. Rain-fall tables	69
	D. Analyses of river-water	75

PLATES ACCOMPANYING THE REPORT.

PLATE I. Map of the city of Washington, showing present main sewerage and sewage outfalls; also territory flooded in June, 1889.

II. Profile from Potomac River to Eastern Branch via B street and Missouri avenue, showing flooding of low district in June, 1889.

III. Sketch showing movement of sewage discharged at Easby's Point at ordinary high tide when the flow of the Potomac River is 2,300 cubic feet per second.

IV. Sketch showing movement of sewage discharged at Easby's Point at ordinary high tide when the flow of the Potomac River is 6,900 cubic feet per second.

V. Sketch of comparative sewage dispersion at the outlets during one tide when the flow of the Potomac River is 2,300 cubic feet per second.

VI. Growth of several population centers in the United States with estimated probable future population of the District of Columbia.

VII. Maximum rain-falls in several American cities, as recorded by automatic rain-gauges.

VIII. Curve showing amount of rain-water assumed to reach sewers, for the conditions prevailing in Washington.

IX. Map of proposed main sewerage and drainage works for the improvement of the sanitary condition of the District of Columbia. Project No. I. All sewage pumped. Recommended.

X. Project No. III. Sewage partly pumped and partly discharged by gravity. Not recommended.

XI. Profile of main sewers. Project No. I.

XII. Sketch plan of proposed pumping station and other works at foot of New Jersey avenue.

SEWERAGE IN THE DISTRICT OF COLUMBIA.

The PRESIDENT.

SIR: Under the provision of an act of Congress, approved March 2, 1889, entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia, for the fiscal year ending June 30, 1890," in which it is stated that—

The President of the United States is hereby authorized to appoint three competent sanitary engineers who shall examine and report upon the system of sewerage existing in the District of Columbia, together with such suggestions and recommendations as may to them seem necessary or desirable for the modification and extension of the same, and such report shall be transmitted to Congress by the President at its next session.

the undersigned were appointed to make the stated examination, and respectfully present the following report:

PART I.

INTRODUCTION.

On August 17, 1889, after receiving further instructions from the President, we organized as a board, made arrangements for such assistance as was necessary to collect data, make drawings and estimates, and have since devoted as much of our time as practicable to the consideration of the subject referred to us. In the pursuance of our work we have received the cordial assistance of Engineer Commissioners Maj. Charles W. Raymond and Lieut. Col. Henry M. Robert; their assistant in charge of sewers, etc., Capt. James L. Lusk; superintendent of sewers, Mr. David E. McComb; and other officers of the government, to all of whom we are indebted for much valuable information.

In order to acquaint ourselves with the features of the problem placed before us we personally examined all the territory involved, with reference to the actual condition of the essential parts of the existing sewerage works, and of the Potomac River and Eastern Branch, so far as these bodies of water have a bearing upon the subject. And, further, to comprehend the reasons which led to the adoption of the existing plans of sewerage, including the outfalls, and to consider the merits of the various suggestions that have been made from time to time for the purpose of overcoming objectionable features, we carefully examined the official reports and other papers which have been written upon the essential points of the question.

The populous part of the District of Columbia and the territory now most in need of better sewage disposal, is situated north of the Eastern Branch. From the foot of Capitol Hill westerly to the Potomac River and southerly to the Eastern Branch there is a long flat area only a few feet above high tide. During freshets large portions of it are flooded. In June, 1889, for instance, 254 acres of streets and private lands, and 154 acres of parks and public grounds were submerged, as indicated upon the accompanying map, Plate I, and the profile on Plate II. In 1830 a canal nearly 3 miles long was built through it, for commercial purposes, from the Potomac River, near the foot of Seventeenth street, to the Eastern Branch, at New Jersey avenue. The high ground in the southwesterly section of the city was therefore isolated and formerly called "The Island." The canal received the drainage from the main parts of the city.

To the north and east the ground is undulating, but generally rising, and reaches the elevation of 93 feet above tide at Capitol Hill and 127 feet above tide in the northwestern part of the city. The soil of this elevated territory is mostly compact gravel, clay, and loam, and is comparatively dry. The main water-course was the old Tiber Creek, draining a large territory and having its headwaters in the grounds of the Soldiers' Home. The lower portion of the creek has been converted

into a large sewer, which reaches the elevation of tide-water in a deep depression between Capitol Hill and Judiciary Square. In the northwestern part of the District the Rock Creek flows through a deep ravine, and forms the boundary between Washington and Georgetown. Tide-water extends up this creek nearly half a mile, after which the bed rises rapidly.

The general topography of the city and its suburbs, the elevations of the ground, and also the outlines of the present main drainage areas, are shown upon Plate I.

At Little Falls the Potomac River enters its tidal basin and below Easby's Point widens rapidly. A narrow navigable channel is preserved, but otherwise the river is a shallow stream with more or less surface exposed at low tide. The Eastern Branch of the Potomac, or the Anacostia River, is a shallow estuary with its tidal basin extending as far inland as Bladensburg, where it is fed by a small creek having a drainage area of 115 square miles. A navigable channel extends a short distance above the navy-yard. Below the junction of the Eastern Branch the Potomac River decreases in width, has a well-defined channel, and no extensive areas exposed at low water.

The Coast Survey charts show the tide of the Potomac River at Washington to ebb and flow as follows:

	Feet.
Rise of mean high water above the plane of reference	2.9
Rise of high water, spring-tide, above the plane of reference, average	3.2
Fall of low water, spring-tide, below plane of reference, average	0.2
Rise of high water, neap-tide, above plane of reference, average	2.8
Height of low water, neap-tide, above plane of reference, average	0.2

Mean duration of rise, 5 hours 40 minutes; mean duration of fall, 6 hours 46 minutes.

The plane of reference is mean low water; city datum is 2.1 feet above the same.

The official reports give the heights to which freshets have risen in front of the city as follows:

Year.	Aqueduct Bridge.	G street.	Easby's Wharf.	Long Bridge.	Arsenal.
	Feet.	*Feet.*	*Feet.*	*Feet.*	*Feet.*
1877*	16.5	13.0	.....	9.1	8.4
1881†	14.03	13.71	†13.39	†12.26	7.01
1889‡	19.50	17.00	13.30	12.70	11.10

*Report of S. T. Abert, United States civil engineer, 1882.
†Heights affected by ice gorge.
‡Reports of Col. P. C. Hains.

These elevations are above mean low water; to reduce them to city datum, deduct 2.1 feet.

Before the year 1860 the city of Washington contained but a few large buildings and no well-paved streets. It was virtually a village. Georgetown had several large sewers with flat bottoms and vertical sides, having been given the place of natural water courses. Several roughly built brick sewers crossed Pennsylvania avenue and emptied into the old canal, near the line of B street, but with so little fall that they were always more or less filled with foul deposits. A portion of the Tiber Creek had been arched. Otherwise there was practically no sewerage.

During and after the war the population increased rapidly, and when the board of public works was created in 1871 extensive municipal improvements were inaugurated. Among other works the construction

of a system of sewerage was begun. The city was divided into drainage districts, but no comprehensive plan was adopted. Sewers were planned and built only where the rapid increase of population, and consequently of its waste water, made underground removal necessary at the time. Apparently no consideration was given to ultimate requirements. Instead of carrying the sewage to proper points in the channel of the river at once, or arranging to do so later, it was left to discharge into the canal at such elevations as to preclude its being subsequently carried into the river by sewers having a free discharge at high tide.

After thus creating a most dangerous nuisance by the continual accumulation of fouling deposits in the canal near the central portion of the city, it was decided to fill the canal, and to build in place of it two large sewers. The Tiber Creek sewer was extended to G street, and an open channel, called the James Creek Canal, was built to carry the sewage the rest of the distance to the Eastern Branch. This channel was walled most of the way. The B street sewer was built from Seventh to Seventeenth street, and beyond Seventeenth street a ditch, called the B street outlet canal, was excavated through the Kidwell Flats to convey the sewage to the river. These two large sewers have flat bottoms, and the flow of sewage is retarded by the tide to a distance of over 2 miles from the Eastern Branch in the Tiber Creek sewer and nearly 1½ miles from the river in the B street sewer.

The principal nuisances formerly existing had thus to some extent been abated; but they were merely transferred to points further from the populated parts of the city. The growth of population and increase of sewage soon caused them to re-appear together with other troubles. Owing to the absence of slope, and therefore of scouring velocities in these sewers and open canals, deep deposits of festering matter accumulated, throwing off bubbles of offensive gases. The lower portion of the B street outlet canal, being submerged at high tide, allowed the sewage to spread out over large portions of the Kidwell Flats. At the same time the health reports showed a continual increase of disease, which was attributed directly to the effects of imperfect soil drainage, sewers of deposit and polluted marshes.

Before many years had elapsed still other defects of the system became apparent. One was the insufficient size of the sewers for storm water removal; another was the wearing out of the brick inverts; a third was the obstruction of pipe sewers by roots of trees, and a fourth was the foulness of the sewer air due to the insufficient ventilation.

In 1874, after the city had been provided with about 80 miles of sewers, mostly pipes, the board of public works was abolished and the government of the District was placed in charge of three Commissioners. A further change was made in 1878, when it was provided that one of the Commissioners should be appointed from the Corps of Engineers, United States Army, and that the engineering work of the District should be placed in his charge. From the reports of the Engineer Department since 1874, we gather most of the following facts and suggestions:

The early reports show that the Slash Run, the Tiber Creek and B street sewers had been proportioned too small for the amount of storm water reaching them; and further, that the insufficient fall of the Tiber Creek and the B street sewers, on account of the entrance of tidewater, is the cause of the accumulation of deposits, which in the former sewer had then reached from 2 to 3 feet in depth and several thousand feet in length. The objectionable features of the existing outfalls are likewise dwelt upon.

To relieve Tiber Creek sewer it was decided in 1878 to build an auxiliary sewer along the northern boundary to the Eastern Branch. In the same year it was recommended to relieve the existing B street sewer by a second one on B street and an intercepting sewer on New York avenue.

To further protect the cellars and basements in the low grounds against flooding, self-acting flood valves were recommended, but proved unsatisfactory.

The report of 1878 says regarding the treatment of the low districts:

> If at any time in the future it should be considered advisable to provide for (the drainage of the) cellars and basements below tide or below freshets * * * the system of sewerage of the low grounds can be isolated and provision made for pumping the water supply, the sewage, and a part of the seepage of this area.

Regarding the necessary capacity of the new sewers the report of 1878 (page 255) says:

> The rain-storms of the District of Columbia appear to be exceptionally violent, both in the rate of precipitation and their duration. Washington is and probably will be mainly paved with asphaltum and water-proof stone-block pavements with no power of absorption. It has a rapid drainage within the city limits to the low grounds, and the county streams are fed from steep hill-sides. It was a storm of 3 inches per hour which ruptured the Tiber sewer. Under these circumstances I have assumed that 2 inches per hour may have to be actually carried off, the sewer running full bore.

A table of the adopted sizes is given in the report for 1883.

No recommendations were made at this time to permanently relieve the tendency to accumulate deposits in the Tiber Creek or B street sewers, because it was thought that when these deposits were once removed the accumulation thereafter would be very slow if proper attention were given to the cleaning of the silt or catch basins at the street corners.

The ventilation of the sewers, concerning which complaint had arisen is fully treated in the same report, and the conclusion is reached that, the best system for the purification of sewer air is by an abundant supply of and admixture with atmospheric air, obtained by the free use of perforated man-hole covers and by extending the house drains above the roof.

To overcome the extensive obstruction of the pipe sewers, due to the entrance and rapid growth of roots, it was found that nothing would answer but complete replacement by new pipes having their joints protected by concrete, and this method has since been followed.

The wearing out of the inverts on heavy grades by the sand and gravel, not retained in the catch basins, was sought to be prevented in large sewers by surfacing the inverts with trap-rock blocks, set in cement, and in smaller sewers by replacing the inverts with semi-circular, glazed, vitrified pipes. The latter it was expected would reduce also the foulness of the sewers, by giving the dry-weather sewage a smooth surface upon which to flow.

In 1880, after discussing in a general way the question of the disposal of the sewage of Washington, it is stated that as long as precautions are taken to prevent the creation of a nuisance, so long may be postponed the costly conveyance of sewage to distant points; and a plan was proposed for the disposal which provided for outlets into the Potomac by the way of Rock Creek and the B street outlet canal, and into the Eastern Branch by the way of the James Creek Canal. In addition to these outlets which then existed, it was proposed to build a sewer to intercept the sewage of the easterly portion of Washington and discharge it into the Eastern Branch at the Anacostia Bridge, and to

build other sewers to intercept the sewage discharged into the Washington channel and divert it into the James Creek Canal. In connection with this plan an additional water supply was proposed to further dilute the sewage flowing in the sewers.

The unsatisfactory condition of the sewerage works called out a large number of propositions from citizens and engineers for remedying the defects. Most of the suggestions were embodied in reports made to Congress by those who were called upon to give or who volunteered opinions. Mr. Karwiese (Mis. Doc. No. 13, U. S. Senate, 1878), Mr. Severson (Mis. Doc. No. 25, U. S. Senate, 1878), and Col. G. E. Waring, jr. (Smithsonian Mis. Coll., No. 349, 1880), treated the subjects more fully than others, but the suggestions they made are of little value.

In the mean time the regular work of sewering the interior part of the city progressed, and in 1885 several important conclusions were reached and embodied in the annual report of that year.

Regarding the question of proper capacity of sewers, it was determined to modify the assumption previously adopted that even the largest sewers should be made large enough to receive the entire water from a 2-inch rain-fall. The modification caused a reduction in the sizes of the remaining part of the Boundary sewer then about to be constructed. For small areas the sizes were later determined from a curve similar to and partly coincident with the one given in Plate VIII.

The growing necessity for a better disposal of the sewage elicited, during the same year, the following suggestions regarding the treatment of the four open channels into which the sewage was then and is still discharged :

B street outlet canal.—It was proposed to place tidal gates at the mouth of the B street sewer and to erect pumping works in the vicinity to pump the dry-weather flow through pipes laid on piles across the flats to the river. During storms the tidal gates were to open and allow storm-water to escape into the canal.

James Creek Canal.—A similar solution was proposed for the relief of the James Creek Canal, because the conditions are similar, although the foulness of this canal was less offensive than that below the B street outlet. It was proposed to pump the sewage into the present sewer on Second street east, and deliver it into deep water of the Eastern Branch.

Inner harbor.—To prevent the pollution of the Washington channel, an intercepting sewer was proposed on Water street to discharge by gravity at Arsenal Point.

Rock Creek.—The foulness of Rock Creek below Boundary street was to be prevented by laying iron pipes on the banks of the creek in order to intercept the sewage and deliver it by gravity under pressure into the main channel of the river.

No definite steps, however, were taken to carry out any of these suggestions. In the report of 1887 we find the question of improvements alluded to as follows:

> The proper method of treating the main outlets and a number of lesser outlets involves a comprehensive study of the whole matter of the disposal of the sewage of the city. The elaboration of a plan of this kind is a work of considerable magnitude, but should be undertaken without delay.

An appropriation of $5,000 was subsequently obtained to have this matter considered, but owing to the unfavorable condition of the river for making float observations during the first year and the subsequent merging of the appropriation, the benefit of a complete investigation was lost.

The annual report for 1888 contained a further recommendation for improving Rock Creek. It was proposed to construct a pair of tunnels on the line of Twenty-fifth street across the point of land near P street, and to arch the creek from this tunnel to the south line of Pennsylvania avenue.

In the same year it was decided to build an intercepting sewer down the valley to receive the sewage of the improved territory draining to it, which would eventually free the creek from its present offensive pollution. A portion of this sewer is now being constructed.

The last annual report of the Engineer Commissioner contains a report of Captain Symons on the reclamation of the low district, generally flooded during high freshets in the river. It is recommended that the entire area be raised to a minimum height of 1 foot above the height attained by the freshet of June, 1889, increasing this height slightly where necessary to provide proper surface drainage for all the streets affected. The area in question was divided into two parts, the more important one extending westerly from South Capitol street in the direction of North B street to the monument grounds, and the other lying on both sides of the James Creek Canal.

The cost of raising the public streets, avenues, alleys, and reservations to the proposed elevation, and for repairing the roadways and sidewalks, is estimated as follows:

For the area west of South Capitol street	$1,649,201.50
For the area in the vicinity of the James Creek Canal	371,492.55
Total	2,020,694.05

This estimate includes the replacing of cobble pavement (67,150 square yards) with asphalt, laying asphalt block pavement in alleys, and other incidental work required for replacing the public property in the same condition as before, such as the necessary changes in sewer and water systems and gas-lamps, removing and replanting the trees, etc.; but it does not include the cost of raising private buildings, filling private lots, changing grade of railroads, or of making changes in the gas or electric light systems.

According to the last annual report the District now contains the following lengths of sewers.

	Linear feet.
Circular brick and concrete sewers	219,507
Egg-shaped sewers	73,138
Pipe sewers	1,016,103
Old corporation sewers (laid before June 1, 1871)	22,845
	1,331,593

Or 252.2 miles.

The present methods of designing and building the sewers we found to be good. Among the earlier constructions, however, we observed a number of instances where marked improvements will be required, if the sewerage system is to be brought up to the standard of modern sanitary engineering.

The above résumé of the various steps taken to improve the sanitary condition of the District of Columbia, together with the personal examinations of the territory, and of the existing works as far as they are instrumental in causing the present objectionable effects, formed the ground-work upon which we based our further investigations.

The act of Congress authorizing the appointment of this board made no reference to the fact that we should consider the protection of the

low portions of the city from floods due to freshets in the river. But soon after we began our investigations it became evident that the works required for sewage disposal had so many features in common with those required for flood prevention, that they would have to be considered jointly. We have therefore made a careful study of the ways by which the low portions of the city can be protected against floods.

Concisely stated, the problem which we find placed before us, therefore, is to recommend a comprehensive system of sewerage and drainage, which will effectually remove the sewage from the inhabited parts of the District, and dispose of it in an unobjectionable manner, both to those in and out of the District, and which will prevent the rain-water of heavy storms from causing inconvenience and damage by flooding, and further, a provision in connection with the foregoing requirements, for preventing freshets in the Potomac River from overflowing the low areas in the central part of the city.

PART II.

DISPOSAL AND PURIFICATION OF THE SEWAGE.

The first question to be answered in solving the stated problem, refers to the manner of finally disposing of the sewage; for, upon the answer to it depends the character and arrangement of most of the works within the city.

The fundamental requirement for a proper disposal in this case is, that the sewage shall be purified, either directly or indirectly, or rendered innocuous, and thus prevent the unhealthful and otherwise objectionable conditions resulting from the putrefaction of organic matter in the neighborhood of human habitations.

The purification of sewage is accomplished by an oxidation of its organic substances through the agency of microbes in the presence of a sufficient supply of oxygen. In practice it can be brought about by allowing the sewage to percolate intermittently through a porous soil or by highly diluting it with water. In both cases the necessary oxygen can be supplied from the air contained in the interstices of the soil or dissolved in the water. The bacterial work in converting the organic into inorganic matter is comparatively slow, particularly where sewage is turned into a body of water, as the quantity of oxygen required is large. Therefore a considerable amount of land or very large quantities of water are respectively required. The solid particles containing less than half of the organic matter can, however, be removed more rapidly either by subsidence, by mechanical straining, or by chemical precipitation, leaving the sewage in a condition to require much less land or water for a final purification. The available opportunities and conditions for purifying the sewage in each particular locality will therefore indicate the proper way by which it should be accomplished.

The once widely cherished idea that all sewage could be converted into a valuable manure, paying not only for its conversion but a handsome profit besides, has to-day lost nearly all its advocates. Occasionally there are conditions where sewage farming can be made a profitable business. In the District of Columbia, however, such conditions do not prevail.

We shall now indicate the necessary requirements for purifying the District sewage or rendering it innocuous according to the above-mentioned methods, and shall first refer to those which effect only a partial purification.

SUBSIDENCE.

If the sewage matter is allowed to come to rest a segregation of the solid matter takes place. The heavier particles deposit and the lighter particles float to the surface, materially freeing the intermediate sewage from solids, and therefore leaving it in a better condition for subse-

quent purification on land or in water. In order to obtain the full benefit of subsidence special tanks must be built of sufficient size to allow the sewage to rest for some time. It is clear that in the present case they would have to be so large that their first cost would be great and the removal of deposits would involve a large annual expense. Without a covering they would also be offensive. A partial subsidence to remove the gravel and sand which finds its way into sewers is frequently advisable as a preparation for any method of final disposal.

STRAINING THROUGH COARSE FILTERS.

Sewage can be readily freed from some of the solid matter by flowing through a coarse filter or strainer, which can hold back the coarser substances and permit them to be separately removed. As only a small space is required, and as the strainer can be made more or less simple to suit the special conditions, this method is often advisable, as in the case of land disposal it relieves the surface of the soil of bulky matter, and in the case of disposal into a water-course it reduces the amount of deposits and prevents floating matter from stranding and polluting the shores.

CHEMICAL PRECIPITATION.

When sewage must be freed from still a greater amount of organic matter than is accomplished in the above ways, certain chemicals can be added to it to effect a rapid deposition of the solid and some of the dissolved substances. It was once hoped that this method alone would produce a complete purification of the sewage; but this has not been found to be feasible even when the best methods are employed. The removal of the suspended matters is, however, a great advantage, as the sewage can then be further purified upon a smaller quantity of land or turned into a much smaller stream without causing offense.

The precipitating agents are mainly lime, salts of alumina, and salts of iron. They coagulate the organic matter and cause it to sink to the bottom as a flocculent precipitate. A larger number of combinations of these materials, both among themselves and with still others, have been used more or less successfully. As the constituents of sewage and the required degree of purification vary in different cities, it is evident that the best proportions and even the kind of chemicals best suited for each case will likewise vary. The materials must be thoroughly mixed with the sewage, which is then allowed to be in comparative rest in large tanks, until precipitation has taken place and the clarified water may flow off. The smaller the water-course into which the clarified or effluent water is discharged, the greater is usually the required purity; and should the water subsequently be used for domestic purposes a very high standard is required, which can not be obtained by this process alone.

The deposited matter or sludge, containing about 90 per cent. of water, may be discharged on land and dried or plowed under, or it may be pumped into barges and carried to sea, where it can do no harm, or more usually it is compressed into cakes containing about 50 per cent. of water, in which form it has some value as a manure and its removal to distant points is less costly.

It will be seen that the chemical treatment of sewage requires large tanks, machinery for mixing chemicals and for handling the sludge, besides the chemicals themselves, and a force of men to operate the works. The process is therefore an expensive one, its annual cost for

operation in England being from 20 to 40 cents per head, and in the United States has been variously estimated from 37 to 75 cents per head.

In Washington, works for treating the sewage chemically should be located south of the Eastern Branch, and the adoption of this method would not therefore result in any reduction in the cost of the system of sewers.

Inasmuch as there is no need of so costly a treatment of the sewage at the present time or in the near future, we have not given this method any further consideration.

FILTRATION THROUGH LAND.

A complete purification of sewage can be effected by applying it properly upon porous land. The first part of the process is the straining of the sewage and the retention of the larger particles at or near the surface, where they are exposed to and are largely broken up by the effects of the sunlight and air and do not accumulate. The more minute particles and the soluble impurities contained in the sewage descend into the ground, and unless they are carried through it by too great a quantity of water, in which case the purification is incomplete, are arrested and dampen or coat the particles of earth or sand. The second part of the process is a sufficient exposure of the sewage in these thin films to the action of microbes and oxygen contained in the interstices of the soil, by which impurities are rapidly changed into harmless compounds.

The conditions which facilitate the existence and action of bacterial life and an abundant supply of oxygen to the soil are therefore, likewise favorable to the purification of the sewage. A warm temperature is more favorable to bacterial action than a cold one. As sewage even in winter usually retains a temperature which rarely drops below 42°, it has been found in much colder places than Washington that neither the filtration through land nor the purification of the sewage is seriously interfered with.

The practical conditions for sewage purification on land therefore are:

First. The soil must be sufficiently porous to allow a given quantity of sewage to percolate through it slowly to a depth, which has been found to be between 4 and 6 feet below the surface, where either natural or artificial drainage should freely remove the purified water.

Second. The application of sewage must be uniform, so that the soil becomes evenly and moderately wet. It must likewise be intermittent, so that the soil is alternately exposed to a thorough penetration of air.

Third. As purification requires a certain amount of time, depending on the character of the sewage, on the soil and its degree of porosity, on the temperature of the air and on the condition of the soil with regard to the existence of nitrifying organisms, the quantity of sewage which can be disposed of by an acre of land can only be determined by a careful investigation of the local conditions. From 10,000 to 30,000 gallons per acre have been purified in this manner in different localities. At these rates the purification of the sewage of Washington, by filtration, would require in the begining from 1,200 to 3,600 acres.

Fourth. Where soil is not porous, broad irrigation will also allow sewage to be purified, at least in warm climates. A thin sheet of sewage is allowed to flow uniformly over a large surface of gently sloping grass-land, where the suspended matter is retained on the surface and

the dissolved matter oxidized by a thorough exposure to sun and air. A regular and level territory and a much larger area than for filtration is necessary for broad irrigation, which is therefore still more costly.

As the flow of sewage from a city is continuous there must be a sufficient quantity of land available at all times to receive it. For this reason sewage farming has almost always been unprofitable. After heavy rains, for instance, the ground is so wet that the addition of sewage becomes injurious to crops, and several weeks before they ripen sewage irrigation is likewise undesirable. Under the conditions which prevail at Washington we feel certain that a sewage farm would be financially unsuccessful.

Where properly managed, filtration grounds are not necessarily offensive. A large experience in Europe has shown that in habitations at their borders or in their midst, the death-rate is low and the general health good. Nor does the adjoining property depreciate much in value.

We examined some of the territory south of the Eastern Branch with reference to sewage purification by filtration and found that the soil was in some cases fairly porous, while in others it was clayey and nearly impervious. Even assuming that as much as 20,000 gallons of sewage per acre per day could be purified, then for a population of 500,000 we should require nearly 6 square miles. The total amount of level land south of the Eastern Branch within the District represents only a small fraction of this area and if filtration is to be adopted at Washington it will be necessary to go further to find the necessary quantity of land. This would require a greater outlay for sewers alone than would be required for discharging the sewage into the Potomac, if a suitable outlet is found within the District, to say nothing of the cost of so large an area of land and its preparation and the annual cost of operating. In view of this obviously great expense, we did not think it necessary to enter into the details of a practical scheme of land purification, but turned our attention to the alternate one of discharging the sewage into the Potomac River, which promised to be much cheaper, more simple, and to answer all requirements of sanitation without offering any objectionable features.

DISCHARGE OF THE SEWAGE INTO THE POTOMAC RIVER.

General considerations.—It is well in the beginning to consider in a general way what troubles may be caused by the discharge of sewage into a body of water.

(1) The whole body of water may be made offensive to the senses by the insufficient dilution of the sewage and its subsequent putrefaction.

(2) The particles of suspended matter in the sewage may be deposited where they will putrefy and give off bubbles of offensive gases.

(3) Sand, gravel, and other heavy substances carried along by the currents in the sewers may deposit near the outlet and obstruct the water-way, or may become offensive because of the putrescible matters precipitated by the heavier particles.

(4) The coarser substances floating in the sewage or upon its surface may strand on the shore.

With regard to the first of these troubles it has been found by experience that when sewage is mixed with a sufficiently large volume of water it is entirely inoffensive, and chemical changes at once begin which will in time purify the whole mass. This process of purification is not very rapid, but, being mainly a process of oxidation, no offense is caused thereby. When the sewage is not sufficiently diluted to

render it harmless it may at first have the appearance of dilute sewage and subsequently, by putrefying, become very offensive.

Regarding the second-mentioned trouble, it is known that many of the particles, kept in suspension by the current in the sewers, settle when the sewage is discharged into water which is still or moves with only a sluggish current. If these particles accumulate, and especially when covered by polluted water, they will putrefy and give off offensive gases. By exposure to the air at low tide the deposits become still more offensive. When, on the other hand, the sewage is discharged into stronger currents, the suspended particles may not deposit, or, if they do, they may be so widely scattered that they will purify by oxidation without producing any ill effects.

The third trouble mentioned can be prevented by the interception of sand, gravel, and heavy substances, and their removal from the sewers.

The fourth trouble is also readily obviated. Few coarse substances float in the sewage or upon its surface, particularly when it is carried a long distance and agitated by being pumped, which causes their comminution. They can be intercepted by screens and in other ways and prevented from floating into the river and stranding.

In order to determine from what population sewage can be discharged into the Potomac River without first being purified, it is necessary to determine the ordinary and low-water discharges of the river.

Flow of the Potomac River.—The Potomac River at a point just below the Eastern Branch has a drainage area of 12,555 square miles. Of this area 83 square miles drain into Rock Creek, and 169 square miles into the Eastern Branch. The area drained by the river is for the most part mountainous, and the water runs very quickly into the streams causing at times high freshets. As there are no lakes, ponds or reservoirs on the water-shed to equalize the flow, the volume discharged by the river is subject to great variations. The average annual rainfall on the water-shed is about 41 inches. If 55 per cent. of this quantity finds its way into the streams, a fair proportion to assume under the existing conditions, the average discharge of the Potomac at Washington would be at the rate of 20,600 cubic feet per second.

The records of measurements of the low-water discharge of the Potomac are few. In September, 1839, a measurement was made at Little Falls by M. C. Ewing for the Great Falls Manufacturing Company, and the volume flowing was found to be 1,904 cubic feet per second.*

In August 1855, W. R. Hutton, C. E. measured the discharge of the river at Great Falls and found it to be 1,063 cubic feet per second.† This measurement was referred to in certain court cases several years afterwards and was admitted to be the minimum low-water flow.‡

A gauging was made under the direction of the engineer of the Aqueduct at Great Falls during the low stage of 1863, and the volume was found to be 2,183 cubic feet per second.§

In the report of S. T. Abert, United States civil engineer,‖ upon the improvement of the harbors of Washington and Georgetown, it is stated that "from Little Falls to a point near the Potomac Boat Club house in Georgetown there are down-stream currents and a fluvial discharge

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* Report of M. C. Ewing to Great Falls Manufacturing Company, 1845.

† Transactions of American Society of Civil Engineers, 1881, p. 242.

‡ The Great Falls Manufacturing Company *vs.* the United States.

§ Report of Board on the improvement of the Harbors of Washington and Georgetown, 1872. Senate Mis. Document, No. 15, Forty-second Congress, Third Session.

‖ Report of S. T. Abert, U. S. civil engineer, printed in the Annual Report of the Chief of Engineers for 1882, p. 983.

during the entire period of flood tide, so that the only effect of flood tidal current above Georgetown is to raise the surface of the water without causing any flood discharge." From this information it is feasible to estimate approximately the flow of the river, because the quantity of water discharged during the flood-tide would be equal to the volume of the prism between low and high water above the Potomac Boat Club house in Georgetown. The volume of this prism is 43,900,000 cubic feet. The duration of flood-tide averages five hours and forty minutes, equal to 20,400 seconds; hence the volume discharged equals 2,150 cubic feet per second.

As there has been no low stage of the river since our appointment, we have not been able to make any measurements of its low-water flow.

Summing up the obtainable information, we conclude that the minimum flow of the river at Washington is about 1,100 cubic feet per second; and that the low-water flow of an ordinary dry year is about 2,300 cubic feet per second.* We are also of the opinion that if the latter volume can dilute the sewage to such an extent as to prevent the water from becoming in any way offensive, or detrimental to the public health, then no serious harm will result from less dilution on the rare occasions when the river reaches a lower stage. We hold this opinion not only on account of the infrequency of extremely low stages of the river, but also because we believe that the evils of insufficient dilution are not so objectionable when this condition is of short duration.

While the ordinary low-water stages of the river are the most important when considering the disposal of sewage, it is also of value to know the distribution of flow throughout the year. No actual measurements at different seasons of the year are recorded; and in order to determine the distribution of flow, it is therefore necessary to depend upon the records of other streams, in connection with the measurements of the Potomac at low-water stages, the annual rainfall, and the physical character of the Potomac drainage area, mainly with regard to its topography. The results obtained from these data are presented in the following table, which gives the estimated flow by months in an ordinary year, beginning with the dryest month and ending with the wettest.

Estimated monthly flow of the Potomac River at Washington.

No. of month.	Average flow per second per square mile.	Average flow of river per second.
	Cubic feet.	*Cubic feet.*
Driest 1	0.186	2,300
2	0.326	4,038
3	0.491	6,082
4	0.685	8,484
5	0.913	11,308
6	1.181	14,628
7	1.496	18,529
8	1.866	23,112
9	2.303	28,525
10	2.825	34,990
11	3.452	42,756
Wettest 12	4.212	52,170
Average	1.661	20,600

* This volume is the same as that given for the low season flow of the Potomac River in ordinary dry years by Prof. G. F. Swain in Volume XVI of the Tenth Census, p. 561.

No claim is made that this table represents accurately the distribution of flow throughout the year. It is, however, thought to agree nearly enough with the facts for the purposes for which it is to be used.

The amount of dilution required to make sewage inoffensive is not well defined. There are many cases which show that an intolerable nuisance may be produced by insufficient dilution, and many other cases which show that with a very large dilution no harm results. There are, however, few if any cases where observations have been made of the relative volumes of sewage and stream flow when the maximum allowable amount of sewage was being discharged.

From such data as have been available from time to time, various authorities have concluded that a flow of water varying from 1.5 to 3.3 cubic feet per second will sufficiently dilute the sewage of 1,000 people to prevent offensiveness. This is equivalent to from 969 to 2,133 gallons per day per person. Using these figures, the population which would be provided for by the ordinary low-water flow of the Potomac is from 690,000 to 1,567,000 persons.

The drainage and water supply commission of the city of Chicago recommended* that the sewage of Chicago be diluted with a volume of water equal to 4 cubic feet per second per 1,000 inhabitants (2,585 gallons per day per person), and discharged through a canal into the Desplaines River. Upon the basis here given the ordinary low-water flow of the Potomac would take care of the sewage of a population of 575,000. It should be borne in mind, however, that the sewage of Washington would not require to be diluted as much as that of Chicago, since at the latter place there is a large quantity of foul matter from stock-yards and slaughter-houses, in addition to the domestic sewage.

There are two ways in which the effect of discharging sewage into a stream may be determined. One method, already alluded to, depends upon deductions drawn from actual experience regarding the discharge of sewage into rivers; the other seeks to determine the chemical character of water which has received the sewage of a given population. In the latter method we have as a basis the constituents of sewage as determined by analysis. In the ordinary analysis of sewage many constituents are determined; but the one which furnishes the best indication of the amount of decomposition which has taken place is the ammonia. The amount of ammonia contained in a gallon of sewage varies greatly, chiefly on account of the great variation in the quantity of water used per capita in different places. The ratio of ammonia to population is much more constant and is about 15 pounds daily per 1,000 inhabitants. With these figures as a basis, it is only a matter of calculation to determine the amount of ammonia which will be added to a given quantity of water by adding to it the sewage of a given population. For example, take the case of Washington with a future population of 500,000, discharging its sewage into the Potomac, at its ordinary low-water stage of 2,300 cubic feet per second. The total amount of ammonia in the sewage would be 7,500 pounds per day. A flow of 2,300 cubic feet of water per second equals 12,400 million pounds per day. Hence, if the sewage is uniformly mixed with the water, 0.605 pounds of ammonia will be added to each million pounds of water. The water of the Potomac River in its normal state contains very little ammonia, so that the amount added may be considered the total amount in the mixture of river water and sewage. Water containing this amount of

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* Preliminary report of the drainage and water supply commission of the city of Chicago, 1887.

ammonia derived from sewage would be unfit for drinking, but it would not be offensive.

By reference to analyses of samples of water from the Eastern Branch near Buzzard's Point, given in Appendix D, it will be seen that one sample contained 0.660 parts per million of free ammonia, showing it to be as much polluted now as the water of the main river would be in its ordinary low stage when receiving the sewage of a population of 500,000. The sample from the Eastern Branch was collected during the latter part of the ebb-tide in order to represent the general character of the water in this estuary, and not to be directly affected by the discharge of any sewers. The water of the Eastern Branch distant from sewer-mouths has not caused complaint.

After considering all available information on the subject of river pollution, including some very recent investigations of rivers in Massachusetts made by the State board of health, we have concluded that the Potomac River will dispose of the sewage of a population of at least 800,000, provided the sewage is mixed uniformly with the whole volume of water discharged by the river. In order to meet sanitary requirements it is desirable, and under many circumstances necessary, that the water into which sewage has been discharged should not flow over flats which are exposed at low tide, or stand in places sheltered from currents where it can deposit its suspended particles.

Location of possible outlets.—The Eastern Branch is a large body of water, and the current in the lower portion of it is strong, so that it might seem at first sight to be well adapted to receive sewage. It is not so, however, because there is not enough upland water entering it to cause any well defined progressive movement of the water in this estuary towards the main river. If sewage is discharged into the upper portion, say above the navy-yard, the water, while oscillating back and forth with the tide, would receive the sewage in repeated doses and might remain in the estuary a very long time before it would reach the main river. If sewage is discharged near the mouth of the Branch the conditions are somewhat more favorable, as a portion of what is discharged on the ebb-tide may reach the main river and be carried down to a point from which it will not return; whatever is discharged on the flood-tide, however, may remain in the estuary many days or even weeks.

In addition to such unfavorable conditions, the depth of water over the extensive flats in the Eastern Branch is slight and constantly decreasing, so that already very large areas near the upper end and some small areas below are exposed at low tide. In view of all these unfavorable conditions it is desirable not only to avoid discharging sewage into the Eastern Branch, but also to avoid discharging any large quantity of sewage into the main river so near the Branch that it will be carried up the latter by the flood-tide.

An examination of the main river showed three locations for outlets having sufficient merit to be worthy of careful consideration; the sewage in all cases to be discharged into deep water at the main channel. These locations are as follows:

(1) Easby's Point.

(2) Above the Eastern Branch opposite Gravelly Point.

(3) Below the Eastern Branch at the first projecting point of land above the Naval Magazine.

The movement of sewage after it is discharged at either of these outlets may be determined in two ways.

In one of them the result is obtained by calculation, using as factors

the volume of upland water discharged by the river, the contents of the tidal prisms above various lines drawn across the river, and the contents of the river below low-water level between the lines crossing the river. This will be called for convenience the *piston method.* In the other way, the movement of the water is ascertained by observing the course of floats. By the *piston method* it is feasible to determine, through calculation from existing data, the approximate movements of the currents in the river for any assumed volume of upland water discharged. By the *float method* the results obtained represent only the movements of currents due to the flow of the river at the time of the observations.

Since our appointment the volume of water discharged by the river has at no time been very small, and we have not therefore been able to determine the currents by the *float method* at a low stage of the river, when the results would be far more valuable than at any other time. This is to be regretted. It is doubtful, however, if satisfactory results could have been obtained with floats unless the low stage of the river had lasted for an unusually long time, because it is very difficult to make satisfactory float observations in the Potomac River near Washington. Within the channel floats can be used of such length that their course would not be effected to any great extent by the wind, but it was found after some trials that they were liable to be carried out of the channel by lateral currents or the slight influence of wind, and to ground upon the flats. Floats short enough to pass over the flats would be moved by the wind so much in comparison with the sluggish movement of the water that the value of the observation would be greatly diminished.

The accompanying sketch (Plate III) shows, as calculated by the *piston method*, the movement of sewage discharged at Easby's Point at high tide, when the flow of the river is 2,300 cubic feet per second, which was assumed as the low-water flow of an ordinary dry year. It should be stated that it is assumed in this method that the particles of water move with an equal velocity in all parts of a cross-section of the stream, while in fact the water moves at a considerably greater velocity in the channel than upon the flats. This error does not prevent the results from being of value as a basis for determining the relative merits of different locations for sewage outlet.

To illustrate more clearly the process of determining the movement of sewage by the *piston method*, an example is given by taking the case of a discharge at Easby's Point (Line 1 on the sketch) at high tide. The tidal prism above Line 1 was obtained by measuring the area at high and low water of the tidal portion of the river above this line and multiplying the average area by the ordinary rise of the tide. The contents of this prism were thus found to be 58,000,000 cubic feet. The average duration of the ebb-tide is six hours and forty-six minutes; and in this time the discharge of the river at the rate of 2,300 cubic feet per second is 56,000,000 cubic feet. The sum of these two quantities, equal to 114,000,000 cubic feet, would pass Line 1 during the ebb-tide and would displace an equal volume in the river below this line. If the water pushed ahead without mingling with that below, the portion which first passed the line would move down stream during the ebb-tide to another line, at such a distance from the first that the *low-water* contents of the river between the two lines would equal the total volume passing Line 1. The low-water contents of the river from Line 1 to a point 12 per cent. of the distance from Line 3 to Line 4 are equal to this volume.

On the flood-tide the upward movement at any given point is caused

by the excess of volume contained in the tidal prism above that point over the natural flow of the river during the same time; and the extent of this upward movement is measured by the length of a stretch of the river, which at *high water* contains a volume equal to the excess above mentioned.

The movement of the sewage during successive tides, as indicated upon the sketch, was determined by the method above described with a few modifications to meet the following special conditions:

The proposed tidal reservoir opposite the Washington Monument, connecting the main river with the head of the Washington Channel, is to receive water from the main river during the flood-tide and to discharge it into the Washington Channel during the ebb-tide. This increases the flood-tidal movement between the inlet to the reservoir and the Eastern Branch.

Opposite the Eastern Branch the movement of sewage can not be satisfactorily determined by the *piston method*, as it is difficult to compute just how and where the tidal volume flowing from the Eastern Branch will affect this movement.

At several points along the river there are bays in which the currents are very sluggish, and in making the calculations their low-water contents within the dotted lines shown on the sketch have been excluded.

It is noticeable upon this sketch that the oscillations due to tidal movement are very much greater below the Eastern Branch than above it, while the progressive movement down-stream from tide to tide is less. No attempt has been made to indicate the movement of the sewage into the tidal reservoir and through the Washington Channel, or into the Eastern Branch, though it is obvious that some of the sewage discharged at Easby's Point would flow into each of these bodies of water.

Another sketch (Plate IV) is presented to show the movement of the sewage when the river is discharging 6,900 cubic feet of water per second. This volume is three times as large as that which we have assumed as the low-water flow of an ordinary dry year. It is, however, a common rate of flow in summer when the river is slightly raised above its lowest stage by rain, and in wet years it may represent the flow during the driest month.

The volume of water discharged by the river produces a downward current in the upper tidal reaches of the river at all stages of the tide. During the flood-tide this current grows less and less in going down stream, owing to the greater volume required to fill the tidal prism, until a place is reached where the up and down stream currents meet and there is no velocity. During the low-water flow of the river in an ordinary dry year this place is near Easby's Point, and during the ordinary summer and autumn stages of the river it is somewhere between Easby's Point and the Eastern Branch.

The Eastern Branch receives so little upland water that practically all that is needed to fill its tidal prism on the flood-tide, must be supplied from the main river. When the section of the main river, where there is no velocity at flood-tide, is above the mouth of the Branch, this water is brought by the flood-tide from the river below. When the section is below the mouth, the water coming down the river turns into and runs up the Branch, and when the section is directly opposite, water will flow into the Branch from both below and above its mouth.

A third sketch (Plate V) is given to show the extreme range of the sewage discharged at each of the three outlets selected for investigation during a single tide at the low stage of an ordinary dry year, when the

river is discharging 2,300 cubic feet of water per second. It is intended to indicate by this sketch, as nearly as practicable, the extreme distance to which the water receiving the sewage would flow in the channels; this distance we have assumed to be 20 per cent. greater than the average tidal range as determined by the *piston method.*

Having thus presented in a general way the movements of the currents in the river, the three locations for outlets will be considered in detail.

Outlet at Easby's Point.—This outlet has the advantages that sewage will flow to it by gravity from a large portion of the northerly section of the District; that the main channel of the river is near the shore so that it can be reached without much expense; that the sewage will not be carried up-stream far enough to do any harm, and that there are no dwellings near the shore below it. It has the disadvantages of being above the land reclaimed by filling the flats (which it is expected to utilize as a park in the future) above the inlet to the tidal reservoir and the flats on the Virginia side of the river, and also above the Eastern Branch. These disadvantages are aggravated by the fact that at the low stages of the river there is scarcely any current in either direction past Easby's Point during the flood-tide, so that large quantities of sewage discharged at such times would be insufficiently diluted.

Outlet into main channel opposite Gravelly Point.—This outlet was considered as one to which it might be feasible to take the sewage from the entire city. It is the most favorable outlet for sewage above the Eastern Branch, because it is so far below the tidal reservoir that little, if any, sewage would enter, and it is also a considerable distance above the Eastern Branch. Much of the sewage could be brought to this outlet by gravity, and we investigated the same with such an object in view. Like the Easby's Point outlet, it is open to the objection of allowing an incomplete dilution of the sewage at certain stages of the river during flood-tide, though to a much less extent. Some of the sewage discharged at this outlet would enter the Eastern Branch at any stage of the river. At low stages it would flow down the river to a point below the Branch, and then be carried back into it by the flood-tide. At higher stages, when the river is discharging 12,500 or more cubic feet of water per second, a part of the sewage discharged at this place would be carried during the flood-tide directly around the southerly point of the reclaimed land into the Eastern Branch. This condition would exist during about one-half of the year, but it is the half when the dilution of the sewage would be large. That this movement around the point into the Eastern Branch, as deduced by theory, actually takes place has been shown by the observation of floats. When the discharge of the river is such that the section of water having no velocity during flood-tide is near this outlet, it is probable that the meeting of the up and down-stream currents in the channel would produce lateral currents toward the shores, and mainly toward the Virginia side of the river.

Outlet at a point above the Naval Magazine.—The main disadvantage of this outlet is its distance from the city which requires all the sewage to be pumped to it, and necessitates crossing the Eastern Branch. It has the advantage, however, that the dilution of the sewage will be comparatively rapid and thorough at all stages of the river and tide, causing it from a sanitary point of view to be the best place that can be selected for a sewage outlet.

The sketch showing the tidal range (Plate V) indicates that at a very low stage of the river the sewage discharged here at the beginning of flood-tide may just enter the Eastern Branch; but as this represents only the sewage of about two or three hours per day during a very small part of the year, it may be said that practically none of the water into

which sewage has been discharged would ever reach the city of Washington, or go far enough up the Eastern Branch to pollute its waters or to cause deposits upon the flats.

The total volume of water flowing past this outlet in both directions during the flood and ebb tide at the low stage of the river is about ten times as great as at Easby's Point and three times as great as opposite Gravelly Point; moreover, the water flows past this outlet with nearly equal velocity at flood and ebb tide, and the only slack-water period is a short one at the turn of the tide, whereas, at the other outlets, during low stages of the river, slack-water exists, at times, during nearly the whole period of flood-tide. The conditions at this outlet, therefore, are very much better for mingling the sewage with the water, for keeping the sewage particles suspended until carried out to sea, or for dispersing them so much that those which deposit will be harmless.

The upland water of the river, in its progressive downward course, oscillates back and forth with the tides many times before finally passing this outlet (see Plate III), and each time it receives some sewage. As the volume of sewage has a fixed relation to the volume of upland water discharged by the river, regardless of the number of times it oscillates past the outlet and receives sewage, it follows that the greater the number of oscillations the less the amount of sewage received each time, and the more evenly is the sewage distributed through the whole volume of water.

This outlet and others between it and the Eastern Branch have been considered with reference to the discharge of the sewage during only the first few hours of the ebb-tide, which could be accomplished by storing the sewage in a reservoir at other times; but we are of the opinion that the use of a storage reservoir in this case presents no advantages from either an economical or sanitary point of view.

In summarizing our views regarding the discharge of unpurified sewage into the Potomac River, we conclude that there is enough water flowing in the river at all times to dispose of the sewage of at least 800,000 inhabitants without causing offense, provided it is mingled uniformly with the whole volume of river-water and is not carried to a place where the suspended particles therein contained can deposit and cause offense.

In view of this conclusion, there is no doubt in our minds that the best method of disposing of the sewage of the District of Columbia at present, and for a long time to come, is to discharge it directly into the channel of the Potomac River at one or more suitable outlets.

An outlet discharging into the channel opposite the point of land above the Naval Magazine not only removes the sewage so far from the city that it can not return on the flood-tide, but it also complies so well with the provisions above stated that we are of the opinion that the sewage of at least 800,000 inhabitants can be discharged at this place.

An outlet opposite Gravelly Point in the main channel of the river is next in order of merit, and we do not anticipate that discharging all the sewage of Washington at this outlet for the next fifteen or twenty years will produce any objectionable effects.

An outlet discharging at Easby's Point would be the least satisfactory. The discharge of as much sewage as could be brought to this outlet by gravity may not have any noticeable effects for many years, yet we hesitate to recommend the discharge of much sewage here, if an outlet can be provided farther down the river at a reasonable additional expense.

Very little sewage should be allowed to discharge into the Eastern Branch.

PART III.

PROTECTION OF LOW PORTIONS OF THE CITY FROM RIVER FLOODS.

We have already referred to the fact (in Part I) that a large tract of low land in the central portion of the city is subject to inundation by freshets in the Potomac River, and have presented a profile (Plate II) through the low district to show the depth of flooding on June 2, 1889, which is the date of the greatest freshet of which there is a trustworthy record.

There are two methods by which this flooding may be prevented: One is to raise the low portion of the city above the elevation reached by the highest freshets, and to provide sewers of sufficient capacity to discharge the storm-water at the highest stages of the river; the other is to prevent the entrance of the river-water by dikes and provide for pumping the storm-water from the diked area. Either of these methods, if carried out in a thorough manner, can be depended upon to prevent flooding, and the choice between them will depend chiefly upon the relative cost and the annoyance which will attend the execution of the works.

We have not made any careful estimate of the cost of raising the flooded district because we obtained sufficient information from the report of Capt. Thomas W. Symons upon this subject.* The estimate given by him provides for raising all the streets and reservations to an elevation of at least 1 foot above high water of the freshet of June 2, 1889, and slightly higher in some parts to give longitudinal surface drainage. It includes the cost of repaving the streets, of raising and putting in good order all structures belonging to the District, and amounts to $2,020,694. It does not include the cost of raising buildings and land not belonging to the District, of raising tracks and other structures in the streets, owned by corporations, nor the cost of additional large sewers to carry off the storm water, though these items would probably swell the total cost to $5,000,000. Even with this large expenditure the results would be unsatisfactory, as it is not improbable that another freshet may go a foot or two higher than the last one and again flood the streets over the whole territory. A freshet like that of last June would still flood all basements and cellars. If this district is to be raised the filling should certainly be carried to a greater height than that proposed, and the cost would be correspondingly increased.

In designing works for the reclamation of the flooded area, it is necessary to consider not only the freshets but other evils in this district which require to be remedied, namely:

(1) The flooding of streets and cellars by heavy storms at ordinary

* Report of the operations of the engineer department of the District of Columbia for the fiscal year 1888–'89, p. 42.

stages of the river, due to the insufficient size of the nearly level sewers in the low district, and to the reduction of their discharging capacity by deposits which rapidly accumulate in them. The tendency to flooding increases from year to year as more streets are paved and new sewers are built in the territory draining into this district.

(2) The unsanitary conditions of the present sewers due to their containing great masses of foul deposits, on account of the absence of a proper fall.

(3) The proximity of the ground water to the surface of the ground.

In designing a project for the protection of this district by diking and pumping, all of these points were given careful consideration and the following plan was finally adopted:

A dike is to be built on the line of Virginia avenue across the low land to the Monument grounds. It should be at least 50 feet wide at an elevation of 6 feet above the freshet height of June 2, 1889, with side slopes of three horizontal to one vertical. The portion of this dike outside of the streets need not be of uniform section, but should rather be so formed as to harmonize with the surroundings; the large amount of waste earth from the sewer trenches will permit this to be done with little expense.

Another dike is to cross the valley of the James Creek Canal at N street. It should take in the whole width of the street with its top 6 feet above freshet height in the Eastern Branch.

The sewers for draining the low district situated between these two dikes will be fully described in Part IV and Appendix A. In order that we may here present the proposed improvement for the exclusion of floods in a more complete form it is necessary to forestall the conclusions arrived at in Part IV and to briefly indicate the proposed sewers at this place.

High level sewers are to be built to intercept the storm-water from as much of the high lands as possible and thus diminish the amount to be taken care of in the low district. Without these sewers it would be very difficult and costly, if not impossible, to properly protect the low districts against flooding during very heavy storms.

A trunk sewer is to begin at the corner of Virginia avenue and B street (north) and run easterly through the middle of the low district to the corner of Canal and South Capitol streets, thence across Garfield Park and along New Jersey avenue to the Eastern Branch, where the pumping station is to be located. This sewer, which will be 15 feet in diameter at the lower end, with its top nearly at the level of high water, will convey the storm-water from the whole of the low district to the pumping station during freshets. It has, however, been made somewhat larger than would be necessary for this purpose, in order to enable it at ordinary stages of the river to discharge the storm-water of the heaviest rain-falls from the greater portion of this district by gravity. The smaller portion, which is provided with another outlet at ordinary stages of the river, comprises the parks bordering on B street. The present B street sewer can be used to take the storm-water from these parks, and should be extended about 1,000 feet to discharge into the small basin which communicates with the tidal reservoir west of the Monument. There can be no objection to this outlet from a sanitary point of view, as the water discharged will not be foul, and in fact it is only during heavy rains that any discharge will take place. The trunk sewer through the low district, although planned primarily for the disposal of storm-water, is designed to carry also the sewage of the northwesterly section of the city to the pumping station.

The total area draining into the diked district after the high level intercepting sewers are built will be 925 acres, of which 270 are in parks.

The pumping station will contain pumps for raising the sewage into an outfall sewer which will carry it to a suitable outlet, and other pumps for raising the storm-water into the Eastern Branch. The combined capacity of these pumps will be sufficient to meet all demands caused by the heaviest storms occurring when the river is above its ordinary stage.

The operation of this portion of the sewerage system will be somewhat unusual. In dry weather only the sewage will be flowing through the trunk sewer, and the sewage pumps can keep this at a low level. If a light rain falls additional sewage pumps should be started, and both rain-water and sewage pumped as rapidly as they come. With heavier rains, from which the flow exceeds the capacity of the sewage pumps, the level of the water in the trunk sewer will begin to rise, and an automatic regulating gate to be placed at Virginia avenue will then close across the sewer, forcing the diluted sewage from the northwesterly section of the city to discharge into the Potomac at Easby's Point. The trunk sewer, together with the Tiber and B street sewers, will have a storage capacity below the level of high tide equal to two-thirds of an inch of water spread over the entire low district. It is therefore evident that any discharge from this sewer into the Eastern Branch will take place but rarely. While the sewer is filling up, and generally during storms, its current will be sluggish, and any sand, gravel, or other heavy substances carried into the sewer will deposit on the bottom; but in a few hours after the storm ceases the water will be pumped down and the concentrated stream of sewage will remove the temporary accumulation of deposits. This large stream should maintain a degree of cleanliness in the sewer which it would be difficult to attain without it, even with a large outlay to increase the slope of the bottom.

The effect of the proposed sewers upon the ground water in the low district will be as follows: Ordinarily the water level in the trunk sewer will be far below low tide, enabling all sewers in the vicinity to discharge freely. During moderately heavy storms, when the trunk sewer is discharging by gravity into the Eastern Branch, the water in the sewer will not often rise more than a foot above the water in the branch. With extremely heavy rain-falls, such as occur only at intervals of years, the water in the upper portion of the trunk sewer may rise 3 feet above the water in the branch, and this possibility should be considered in building cellars. During freshets the water will not rise any higher than at other times. These results, as far as they affect the height of the ground water, are more favorable than would be obtained by raising the low district to the height proposed.

Tide-gates will be placed at the outlets of all sewers connected with the pumping system. They are to be restricted in size by subdividing the large sewers near their outlets, and should be in duplicate. The bottoms of the gates should be carried not more than 3 feet below low tide, and grooves provided outside, in which stop-planks or a wooden gate may be lowered to keep the tide-water out, and make the gates accessible for repairs. Nearly all of these gates are very near the pumping station and can be conveniently inspected to insure their efficiency. Tide-gates have been extensively used in Europe, and on the Main Drainage Works of Boston for six years, where they have always operated in a satisfactory manner.

As these works are used jointly for protecting the low district from floods and for sewage disposal, it is difficult to tell how much of their cost should be assigned to each. Their total cost is $2,395,000, and this is also about the sum which flood protection and the proper drainage of the low district would cost if sewage disposal is not considered. On the other hand, the value of these works for sewage disposal alone would be about $895,000. The amount properly chargeable to flood protection would therefore be about $1,500,000. This is very much less than the cost of raising the low district to the proper height, which would probably be $5,000,000 or more.

The cost of maintaining the storm-water pumping plant by the plan herein proposed would be small, as it would be used but a few days in the year; and the regular force operating the sewage-pumps could operate both plants on such occasions. The whole amount of rain-water falling upon the low district in a year could be pumped to the necessary height with 80 tons of coal; and, as the amount of water which enters the sewer is less than the total rain-fall, it is obvious that the cost of fuel for pumping the storm-water will be but a small item in the annual cost of the sewerage system.

The area which it is proposed to protect by dikes includes nearly all of the flooded territory now occupied by dwellings or stores and also much unoccupied land, but there are some comparatively small areas outside of the dikes which it is thought can best be protected from floods by raising the streets and lots, and by fixing a grade below which cellars shall not be permitted.

PART IV.

COLLECTION AND DELIVERY OF THE SEWAGE AT THE OUTFALL AND REMOVAL OF THE STORM WATER.

From the conclusion reached at the end of Part II we may place sewage outlets with certain limitations at Easby's Point and opposite Gravelly Point, or we may place one a short distance above the Naval Magazine. In Part III, indicating the best manner of protecting the low districts from the river floods, we found that for economical reasons the territory should be diked instead of filled in, and that provision should be made for removing the storm water and sewage, not only at ordinary times but also during freshets.

It now becomes necessary to indicate a system of sewerage for the District of Columbia which will most effectually and economically answer the following requirements:

First. Collect the sewage from the entire populated area and deliver it at either or several of the above-mentioned outlets.

Second. Provide for the discharge of storm water from the entire city at all times.

Third. Prevent the inundation of the low districts by freshets in the river.

Before we could ascertain the projects best accomplishing these ends, we were obliged to examine into numerous elements which more or less govern the design and to which we shall first refer in sufficient detail to warrant the conclusions finally reached.

FUTURE POPULATION OF THE DISTRICT OF COLUMBIA.

The development or growth of the District of Columbia is almost entirely due to the requirements for transacting Government business. It is therefore more directly dependent upon the increase of the population of the country than is the growth of other cities. On account of its location the District is not likely to have commercial importance, either as a trade or a manufacturing center; but, like most of the capitals in European countries, will rather tend to develop as a center for science and art. This circumstance, together with the mild winter climate, as compared with the large cities of the North, will offer the second principal inducement for its future growth.

In order to ascertain the probable population for which to provide sewerage, a comparison was made of the development of other large cities in the United States, as shown in the diagram on Plate VI. It is preferred for such a purpose to show their virtual population, including all adjacent towns and suburbs having a common interest, and therefore practically forming a part of the city, rather than to limit the population to the artificial boundaries prescribed by law. It will be

seen from the diagram that New York and Chicago show a quite similar and at the same time the most rapid growth, which is unquestionably due to their commercial eminence. Philadelphia, Boston, Baltimore, Cincinnati, and St. Louis are more conservative in the increase of their population. The District of Columbia and the United States represent the third group, which we will consider more in detail.

The following table shows their population since 1800:*

Date.	Washington.	Georgetown.	Suburban.	*Total for the District.	United States.	Ratio.
1800	3,210	2,993	1,941	8,144	5,308,483	.0015
1810	8,208	4,948	2,315	15,471	7,239,881	.0021
1820	13,247	7,360	2,726	23,333	9,633,822	.0024
1830	18,827	8,441	2,993	30,261	12,866,020	.0024
1840	23,364	7,312	3,069	33,745	17,069,453	.0020
1850	40,001	8,366	3.320	51,687	23,191,876	.0022
1860	61,122	8,733	5,225	75,080	31,443,321	.0024
1870	109,199	11,384	11,117	131,700	38,558,371	.0034
1878	131,947	11,571	16,533	160,051	.....	.....
1880	147,293	12,578	17,753	177,624	50,155,783	.0035
1885	173,606	14,322	15,531	203,459	.....	.....
1888	179,448	14,345	24,364	218,157	.....	.....
1890	.....	.....	.....	†229,796	.....	.....

*Alexandria city and county excluded. †Preliminary return Eleventh Census.

"The abnormal increase in 1830 in Georgetown was due to concentration there of laborers at work on the Chesapeake and Ohio Canal. * * * The item of 15,531 for suburban census of 1885 agrees with the official returns. The reported rate of increase in the city of Washington for that year is abnormally large to about the same extent that the suburban census is deficient, and is probably an error due to the consolidation of the returns from some suburban villages with the returns for that city."

The last column contains the ratio of the population of the District of Columbia to that of the entire country. It will be seen that between the years 1810 and 1860 this ratio is almost constant, indicating that its growth is in proportion to the growth of the country, as mentioned above. The year 1870, however, shows a marked change, due to the abnormal development during the war, and a much larger ratio is reached than the one holding prior thereto. In 1880 this larger ratio has not only been retained but is slightly exceeded. It is evident that since then the second cause of growth mentioned above is still exerting its influence, and it may be expected that hereafter the above ratio will continue to increase instead of remaining constant, as during the half century before the war. In forecasting the future growth we have preferred to give probable maximum and minimum curves between which the true growth will most likely be represented, rather than to mark a single line.

Basing our judgment upon the growth indicated by these two curves we believe it proper to provide sewerage works for a population of 500,000. Whether this is reached in the time indicated by the maximum or by the minimum curve, it is sufficiently far distant to cause moneys now invested to double in value before bringing any return. It is more economical to build supplementary works at such a time than to expend large sums at present to increase the size and extent of the present ones beyond the requirements of the above population.

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* The District of Columbia. Synopsis of its Establishment and Government by William Tindall, 1889.

While it is proper to assume this population for proportioning the sizes of the outfall or main sewers, in which all or nearly all the sewage of the entire city will be concentrated, a larger aggregate should be assumed when providing for the separate drainage areas, because it is difficult, if not impossible, to estimate the relative rapidity of growth in different sections of the city.

Each district should therefore be considered as having a more rapid growth than the normal, the aggregate of which we have assumed as being equal to a population of 650,000, and we have considered that the branch sewers should be proportioned accordingly.

AMOUNT OF SEWAGE REQUIRING REMOVAL.

The quantity of sewage reaching sewers in dry weather has commonly been estimated as nearly equaling the water supply. The experience in many places, however, shows that the flow is materially increased by the ground water collected in the sewers, this increase more than offsetting the loss of water by evaporation in boilers and by its use for lawn sprinkling and street watering. In some cases the amount of ground water is very large but the conditions at Washington indicate that it will not be so in this case.

The following table gives the estimated population in the District each year from 1881 to 1888, the average daily water consumption for two consecutive days in the month of June, as given in the annual report of the Commissioners for 1888, and the rate per head in gallons per day:

Year.	Estimated population.	Water consumption.	Per head per day.
		Gallons.	*Gallons.*
1881	182, 791	26, 525, 991	145
1882	187, 958	29, 727, 864	158
1883	193, 125	24, 314, 715	126
1884	198, 292	24, 827, 013	125
1885	203, 459	25, 219, 194	124
1886	208, 358	25, 542, 476	123
1887	213, 258	26, 878, 424	126
1888	218, 157	29, 115, 774	133

In comparison with other cities, this water consumption per head of population is unusually large and is partly due to the non-resident population, not enumerated, but using the water, and also to the large number of public buildings and fountains. While we think that in addition a very large proportion of the water is wasted and that in the future such waste may be reduced, we have nevertheless thought it desirable to design the proposed works with reference to a sewage flow of 150 gallons, equal to 20 cubic feet per head per day, including the ground water which may find its way into the sewers.

The same annual report gives also the hourly variation of the consumption. While the hourly average is 1,104,955, the hourly maximum is 1,265,913, or 14½ per cent. greater, and the hourly minimum is 907,177 gallons, or 18 per cent. less than the mean. To provide for this slight fluctuation, as well as for a small amount of rain-water, we have thought it sufficient to proportion the intercepting sewers carrying the sewage to proper outlets, so that they will run half full with the above assumed quantity of 20 cubic feet per head per day.

MAXIMUM RAIN-FALLS AND AMOUNT OF STORM-WATER REACHING SEWERS.

To determine the proper discharging capacity for sewers designed to carry storm-water and thereby to prevent streets, cellars, and other property from being flooded during heavy rains, we must know the rate of precipitation during the most intense portions of the heavy rain-falls, their duration, the rapidity with which the water reaches the sewers and the proportion which finally enters them.

It is, therefore, necessary to have exact observations of parts of storms and of the extent, character, and slope of the respective drainage areas.

Although in large cities the damages from flooding are considerable, and notwithstanding that the cost of the sewers is so greatly affected by the question of size, few data are available which throw light upon this important matter.

Until recently the rain-fall records, both in America and Europe, with few exceptions, were kept so that only the total fall of each storm and perhaps also the duration were given, while for sewerage purposes it is particularly necessary to know the greatest intensity of fall. On Plate VII we have compiled such facts as have been recorded of late years by automatic gauges in Boston, Providence, New York, Philadelphia, and Washington, and in Appendix C we give the same information in tabular form.

A study of this compilation shows that occasionally some remarkable storms occur in the eastern portion of the United States. It also shows that there is but little difference, regarding the greatest intensities, in the territory between Washington and Boston, although the comparative frequency of heavy storms is probably greater towards the south of this area. It will likewise be noticed that the more intense the fall the shorter is its duration.

In regard to the proportion of water that will reach the sewers from given storms and areas of different character, very few data are available. But as the conditions vary so much it would in any case be necessary to study them independently, with reference to local and special necessities.

It is evident that the greater the slope and the more impervious the area by reason of its being covered with buildings and pavements, the greater is the proportion of rain-water that will flow off the surface and reach the sewers. On the other hand, flat and open territory covered with vegetation, or perhaps having depressions in which some water is retained, will shed much less water into the sewers during the heaviest falls. But when the same ground is rendered less pervious by previous rains or by freezing, the proportion flowing off is again increased. The latter condition, however, is of little consequence in proportioning city sewers, as the greatest down-pours do not occur in winter.

On small areas the water reaches the sewers from all parts very quickly, and extremely heavy falls of short duration should therefore be provided for. But on large areas much more time is required to concentrate the flow. The heavy falls of long duration therefore govern in this latter case, requiring much less capacity per acre for the larger sewers.

From a few observations here and there several formulæ have been suggested to approximate the maximum quantity of water which, under

different conditions, will reach the sewers. We will only allude to those of Hawksley, Burkli-Ziegler, McMath, and Kuichling. Arbitrary assumptions have generally been made in each city as to the quantity to be provided for. A comparison of the above-mentioned formulæ and assumptions for several American cities shows so much variance that we have preferred, in the present instance, to base our judgment regarding the desired quantities upon local experience and upon a careful examination into the local conditions which will probably obtain in the future, using as a guide besides the above compilation of maximum rain-falls also a few actual gaugings made in Providence and New York and some useful information collected in St. Louis.

We found the Department using a special formula which had been developed partly from others and partly from local experience. Our examinations lead us to approve of this formula for the smaller areas to which it has been applied, but to vary from it when applied to large areas, and we have arrived at results which are expressed by the curve shown on Plate VIII. While we considered this curve as being generally suitable for the Washington conditions, excepting as regards the park areas, we did not hesitate to vary from it where special conditions made it advisable.

We were shown the point where it is proposed soon to make continuous gaugings of the sewer flow. Inasmuch as exact knowledge of this matter represents an important factor in determining the size and therefore also the cost of sewers, we can not but express our hope that such gaugings may be made at this as well as at still other points.

It is intended to exclude the rain-water naturally reaching the low district from the higher territory, but in proportioning the storm sewers we have made a slight allowance for water accidentally passing over the intercepting line. It is highly important that this quantity should be kept at a minimum by a sufficient number of inlets judiciously placed.

FORM AND MATERIAL OF SEWERS AND MINIMUM VELOCITIES.

It is proposed that the sewers shall be circular in section, except in special cases referred to in the detailed description of the projects, where another form is best adapted to the local conditions.

Up to and including a diameter of 24 inches the sewers are to be vitrified pipes laid in a bed of concrete, and to have their joints covered with the same material to prevent the intrusion of roots of trees. This practice has prevailed in Washington for several years. Above 24 inches in diameter sewers are designed to be of brick masonry, and for the purpose of making estimates of cost those to be built in firm ground which can be excavated to the form required for the invert of the sewer are assumed to have the following thicknesses:

	Rings.	Inches.
From 2 feet to 6 feet in diameter	2	8½
From 6 feet to 12 feet in diameter (inclusive)	3	12¾
From 12 feet to 15 feet in diameter (inclusive)	4	17

Where there is reason to suspect that the soil may be loose or very wet, and where it will be necessary to support the sewers on piling, an allowance for side walls of concrete masonry has been made. The

adoption of a ring of brick-work of uniform thickness for purposes of estimate should not be considered a recommendation with regard to the proper disposition of the masonry of the sewer in the design for construction. The material can in most cases, and particularly in large sewers, be so placed as to resist more effectively the strains to be brought upon it; moreover, there may be a considerable advantage in many places by substituting concrete masonry in the lower portions of the sewers for the more expensive brick masonry, retaining only a thin lining of the latter. It may also be found practicable to substitute concrete for brick masonry in the arched covering of the sewer. If this should be done it will be necessary to make the concrete arches thicker than those of brick, but notwithstanding this increase it may be found cheaper, on account of the smaller cost of the same bulk of masonry, to use concrete arches in many places. We have not, however, thought it proper to reduce our estimates on this account in view of the limited experience gained with large sewers of this kind.

Where the sewer is in tunnel an allowance has been made for filling the space between the usual ring of brick-work and the sides of the tunnel with solid brick or other masonry.

The velocity in the intercepting sewers has been reckoned upon the assumption that these are to run one-third full in depth, that is, a depth which the sewage would assume in them soon after they are put in operation; and it was further assumed that with this depth the slope of the sewers should be such that the velocity would not be less than 2.7 feet per second. This is equivalent to a velocity of more than 3 feet per second when the sewer is running half full or full.

For sewers designed to carry storm-water, in which the ordinary flow of sewage occupies but a small part of the total depth, the aim was to provide a velocity of 2.7 feet per second or more with the ordinary flow of sewage, but it is not as essential to have a high velocity at all times in these sewers because the velocity is very much increased during storms.

PUMPING SEWAGE.

To pump the entire sewage of a city might at first appear to be an undertaking too great to attempt. But the difficulties are not great and there are many examples where all or much of the sewage is thus artificially raised, notably Boston and Milwaukee in the United States and London and Berlin in Europe.

Many cities have obtained their water supply by pumping, independently of the use of reservoirs, and yet we seldom if ever hear of any city being deprived of its water by a break-down of its pumping machinery, particularly where it was provided in duplicate. The same dependence can be placed in works for pumping sewage. In Washington, as will be shown later, the sewage could, in case of an accident, discharge temporarily by gravity.

To have a sewage pumping station within a city in the vicinity of habitations might appear to be a proposition of questionable merit. But as such a station, if properly arranged, does not permit sewage effluvia to escape into the street any more than a common sewer, there can be no reasonable objection entered on this account. In fact we have several instances in London and Berlin where sewage pumping works of large capacity are located in the interior of the city and are not found in the least offensive.

A carefully considered system of artificial ventilation can be made to

produce currents of air from all parts of the building to the chimney and thus discharge the offensive air where it becomes unobjectionable.

Sewage brings with it much solid and bulky matter, such as gravel, sticks, leaves, fruit skins, rags, occasionally dead animals, and a great variety of things which find their way into the sewers. But these articles do not interfere with the successful operation of pumping sewage.

To prevent the heavy and floating matters from interfering with the pumping machinery two important adjuncts are required: settling-tanks or deposit-sewers to arrest the heavy materials, and screens or filth-hoists to catch all coarse floating matter.

The settling-tanks consist of an enlargement in the line of the sewers, by which the velocity of the sewage is decreased, so that the heavy material which has been brought down by the current is allowed to settle. These tanks should be located near the pumping machinery and have a size sufficient to reduce the velocity of the sewage to 1 foot or less per second, which will cause sand, gravel, and other heavy material to deposit. These tanks should be in duplicate, and so arranged that the sewage can easily be turned into either one, and permit the deposits to be removed while the works are in operation. Proper machinery, such as sand-pumps and other appliances, should be provided for this purpose.

The screens should be located between the settling-tanks and the pumps, and should also be arranged in duplicate, so that one screen will always be in place while another is being cleaned. Facilities should be provided for properly disposing of the collected floating matter so as not to cause a nuisance.

GENERAL SYSTEMS OF SEWERAGE.

We do not feel called upon to discuss extensively the different methods of sewering which have been advocated from time to time. Some of them, such as the dry removal, were once thought the only proper systems; but in all large American communities, accustomed to an abundant water supply, and therefore dealing with large quantities of waste water or sewage, the water-carriage system is considered the only satisfactory one, by which the sewage itself becomes the vehicle which immediately and continuously carries away from the inhabited districts, both thoroughly and economically, all refuse matter which can be held by it either in solution or suspension.

The necessity of having underground pipes or sewers for this purpose, and the like necessity in large cities of an underground removal of rain-water, which, as it washes the surface of streets and yards, is generally laden with refuse matter, raised the question whether sewage and rain-water should be removed in the same channels or whether they should be removed independently in different channels. In the first instance we have the "combined," in the latter the "separate" system.

An endeavor to decide this question on sanitary grounds brought out a number of theoretical reasons in favor now of one, then of the other system; but no conclusive evidence has appeared showing any difference in this respect, and, if one exists at all, it is insignificant compared with the effects due to the more or less careful design, construction, and maintenance of either system. Engineers have therefore based the preference upon greater economy of construction and convenience of operation in each particular case.

In most of the populated part of the District, where the combined system has already been adopted, there can be no question of the greater

economy in continuing to use this method, and there is no reason for making any change in the system on sanitary grounds. It has been suggested, however, that it might be best to adopt the separate or, in this case, a double system in the low level district. The ground upon which this has been urged was the necessity of pumping the sewage of the low area, while discharging the storm-water by gravity, and therefore, of keeping the drains at a higher level than the sewers. A careful study has convinced us that no economical advantage can in this case be gained by a double system. We have, however, found that the surface water from the White Lot and from the parks on the south side of B street (north), which can be kept entirely free from sewage, may be advantageously collected in an independent drain, which ordinarily discharges into an adjacent sewer, but which during very heavy rain storms may discharge into the near tidal basin or reservoir in the reclaimed territory west of the Monument. Otherwise no strict separation in the built-up portions of the city can be recommended.

Up the valley of Rock Creek, where new streets are being laid out, but where sewers are not yet built, the conditions are different from those which obtain in the populated parts of the city, and for this district we advise the adoption of a modified separate system. The surface water from the streets should not be allowed to enter the sewers which carry the sewage, but should be collected in separate underground channels discharging into Rock Creek, or its larger branches, whenever underground removal becomes necessary. The pipes for the sewage should be made large enough to take roof water from buildings, though it would be well to keep out as much of it as could readily be disposed of through other channels. The main advantages of this plan are, that by it the main sewer down the valley of Rock Creek would be kept free from deposits of earth, which would otherwise be washed into it in large quantities from the newly graded streets, and that the overflows from the main sewer into Rock Creek, required for economical reasons, would not operate as frequently.

The great boundary sewer discharging into the eastern branch was designed to carry brook water and the overflow from sewers during storms. We believe that in accordance with this intention no sewage should be turned into this sewer. We believe also that it would be wise to build a drain for surface water only, leaving this sewer at First street (west) and extending to the Soldiers' Home grounds. Its purpose would be to intercept the water of the brooks in these grounds, the drainage water from the new reservoir, and as much other surface water as could be turned into it. The sewage of this valley would be collected in separate sewers which, being relieved of the brook water, would furnish a much smaller volume of sewage to be pumped and carried to a distant outlet.

Where, in a combined system, it is desirable to carry the sewage a long distance to a suitable outlet, while the storm-water can be discharged at near points, it is customary to build intercepting sewers, or interceptors, which collect the dry weather flow of sewage at suitable points, and permit the surplus water during storms to overflow into near water courses. The volume of storm-water during a heavy rain is vastly in excess of this dry-weather flow, and it is often impracticable, as well as unnecessary, to carry it as far as the sewage outlet. By proportioning the interceptors so that in addition to the sewage they will receive the water from very light rains and the first wash from heavier ones, the rest of the storm-water and diluted sewage overflowing may be safely discharged into a stream incapable of receiving con-

tinuously any considerable quantity of sewage. This possibility is due not only to the high dilution of the sewage overflowing with the storm-water, but also to the fact that such overflows would not operate one hour out of a hundred during the year. In Washington many favorable opportunities for storm overflows are afforded by the Potomac River, Eastern Branch, Rock Creek, and the great Boundary sewer, and we therefore recommend a system of interceptors proportioned to carry only the sewage proper and a small quantity of rain water.

GENERAL DESCRIPTION OF PROJECTS.

After having determined the various elements and preliminary conclusions necessary to intelligently outline any project for sewerage, we shall now briefly describe as many projects as were deemed worthy of a detailed study from a sanitary and economical point of view, and then state our reasons for recommending the one which we consider best suited to the topography of the District and to the controlling conditions which exist at the present time.

In Part II we have mentioned the best ways of finally disposing of the sewage, and with certain limitations recommended three possible outfalls into the Potomac River, one near Easby's Point, another opposite Gravelly Point, and a third near the Naval Magazine.

Whether the sewage is discharged above or below the mouth of the Eastern Branch, some of it, from the low district and adjoining areas, will have to be lifted by pumps. It will likewise be necessary to artificially raise the water of every rain-storm falling upon this territory, when the river is raised above ordinary high-tide by freshets.

If the outfall is above the mouth of the branch, at either of the two points considered admissible, a large portion of the sewage of the District can be delivered to them by gravity. But if the outfall is near the Naval Magazine all of the sewage, except from the higher territory south of the branch, will have to be pumped.

In comparing the relative value of the projects we will therefore be obliged to consider not only their greatest sanitary value and first cost, but also the annual expense of maintenance, which for the present purpose we may confine to the cost of pumping.

Among the numerous possible projects suggested to fulfill the requirements of the District we have considered five in detail, including a careful study of the alignments, special difficulties to be encountered, and the probable cost of construction and maintenance.

Certain general features are common to all of them. For the purpose of keeping the storm-water, falling upon the higher grounds, as far as possible from descending into the low central district, intercepting sewers are required to reduce to a minimum the amount of rain-water that will occasionally require pumping.

To protect the low district against flooding during the freshets all the projects contemplate the building of dikes; one on the line of Virginia avenue to the Monument Grounds, and the other on the line of South N street. To remove the rain-water falling upon the diked area during ordinary stages of the river by gravity, and during freshets by pumping, a large trunk sewer is proposed through the low district from the Monument grounds to the foot of New Jersey avenue, at the Eastern Branch, near which the pumping station should be located.

All of the projects utilize those of the existing sewers that are in a fairly good condition excepting the one passing through the White Lot from Fifteenth street to B street, which is to be abandoned because it

descends so low that a discharge of its sewage and storm-water by gravity at a proper outfall is impracticable.

Finally, all the projects obviate the necessity for preserving any part of the present B-street outlet canal, which can therefore be filled up. They likewise do not require the use of the James Creek Canal, which will require filling up from the mouth of the old Tiber sewer to the proposed dike at N street.

PROJECT I. (See Plate IX.)

This project contemplates the delivery of practically all the sewage of the District at the lowest proposed outlet, namely, at a projecting point a short distance north of the naval magazine. A small portion of Georgetown fronting on the river can always discharge its sewage directly into the channel without objection.

Interceptors will prevent the discharge of sewage into Rock Creek, the Eastern Branch, the Potomac River between these tributaries, or into the Washington Channel, and will deliver it to a pumping station at the foot of New Jersey avenue, near the Eastern Branch. At this station the sewage will be lifted to a sufficient height so that it can flow by gravity through iron inverted siphons, laid under the Eastern Branch to Popular Point, thence through a brick sewer to the bank of the Potomac, and then through iron outlet pipes to the channel. At the same station there will be a pumping plant sufficient to lift the storm water of the low district into the Eastern Branch, when the water in the latter is too high to permit of a discharge by gravity.

The interceptors may be divided into two general classes, one of which is to intercept both storm water and sewage and the other sewage only.

To the former class belong the F street and Easby's Point, the Four-and-a-half street, and the Tiber Creek and New Jersey avenue high-level interceptors, which are designed and located so as to intercept all the storm-water that naturally flows into the central low-lying basin, extending from the White Lot easterly to the Capitol Grounds and thence southerly through the Tiber Valley. These sewers are placed at the lowest level from which it is practicable to deliver storm-water by gravity to the river; they also serve to intercept the sewage from the district lying above them and deliver it in turn, except when considerably diluted by rain-fall into the second-class of interceptors, which are designed only for sewage and a very small quantity of storm water.

The F street and Easby's Point interceptor will receive all the sewage and storm-water north of F street which now flows into the B-street sewer and is discharged into the present B-street outlet-canal, and will also receive the flow of the New York avenue sewer now emptying into the same canal. It will intercept likewise the sewage and storm-water from a considerable area west of the White Lot, and north of C and D streets Its outlet for storm-water will be into the Potomac river a little south of Easby's Point.

The Four-and-a-half street interceptor will intercept all the area of South Washington which now drains into the central low district as far north as South B street, and as far east as Four-and-a-half street. Its outlet for storm-water will be into the Washington Channel at M street.

The *Tiber Creek and New Jersey avenue interceptor* will intercept the old Tiber sewer, which now drains into and through the easterly part of the low district to the James Creek Canal, at the lowest practicable point in its course, and will discharge during storms into the Eastern

Branch at the foot of New Jersey avenue. It will also receive the sewage from the Capitol and nearly all the drainage from the Capitol Grounds, and intercept all other sewers between its upper terminus and Virginia avenue which now flow from the east side of the low district into the lower part of the Tiber sewer.

The completion of the Boundary sewer, discharging through an open channel into the Eastern Branch, relieved the old Tiber sewer not only of the storm-water naturally flowing into it from its drainage area north of the boundary line, but also of the storm-water from a considerable tract (indicated on Plate IX) inside of the city limits. It is proposed, however, to intercept the sewage from all this area, on both sides of the city line, thus preventing its entrance into the Boundary sewer and discharge into the Eastern Branch, and to conduct it through existing sewers into the Tiber Creek and New Jersey avenue interceptor.

The low-level sewage interceptors have been located so as to be able to intercept the sewage from local sewers to be built in the future as well as from existing ones, and also to intercept the sewage from the above-described high-level interceptors near their points of discharge into the Potomac and its branches. These interceptors are designated as the Rock Creek and B street, the east side, and the Water and M street interceptors, and the B street and New Jersey avenue trunk sewer. The last one will pass through the center of the low district and receive all the storm-water of this district in addition to its sewage.

The *Rock Creek and B street interceptor* will intercept the entire sewage of the Rock Creek Valley above as well as below the boundary, including Georgetown north of Bridge (M) street and the sewage of the F street and Easby's Point high-level interceptor at the point of crossing at Twenty-second street. It discharges at Virginia avenue into the head of the B street and New Jersey avenue trunk sewer.

The *east side interceptor* will receive the sewage of the entire eastern part of the city not tributary to the Tiber Creek system, and empty into the B street and New Jersey avenue trunk sewer at M street.

The *Water and M street interceptor* will intercept all the sewage of South Washington now discharging into the Washington Channel and the sewage of the James Creek Valley south of H street; it will also intercept in its lower portion all the storm-water from the low area situated between the proposed dam on N street and H street. This interceptor will empty into the B street and New Jersey avenue trunk sewer at M street.

Lastly, *the B street and New Jersey avenue trunk sewer* will receive directly or through its branches all the rain-water of the low district requiring pumping; it will also receive at its upper end the contents of the Rock Creek and B street interceptor, and near its terminus the contents of all the other sewage interceptors, thus delivering to the pumping station all the sewage of the city and all the storm-water from the low district.

The existing B street sewer will act as an adjunct to this trunk sewer-receiving no sewage, but only the storm-water from the park area between B street north and B street south and the streets traversing it, and also from the White Lot south of the F street and Easby's Point interceptor. This existing sewer will discharge the water of moderate rain-falls into the proposed trunk sewer, to run parallel with it, through two or more connections, which will be provided with swing gates to prevent any flow in the opposite direction; but during heavy or prolonged storms when water from other sources fills the proposed trunk sewer, the existing sewer will discharge into the tidal reservoir through a con-

nection to be made with it from its present terminus at Seventeenth street. This reservoir will therefore receive only the rain-fall from park areas and a few traversing streets; and this only at infrequent intervals and after the washings from the early part of the rain-fall have passed off into the trunk sewer.

Automatic regulators will be provided wherever necessary, mainly at points of sewage interception, to prevent the intercepting sewers from being overcharged. The diluted sewage thus prevented from entering the interceptors will continue in the local sewers and pass directly to the river or its branches. Double sets of tidal gates, wherever necessary, should be placed at the river outlets of the old sewers, as well as at the mouths of the high level interceptors and the trunk sewers.

The estimated cost of the project (see Appendix B) is	$3,598,003
The estimated annual cost is—	
Interest on first cost and depreciation at 4 per cent	143,920
Operating and maintaining pumping station	19,920
Total	163,840

PROJECT II. (See Plate IX.)

This project is identical with the one just described down to the pumping station; but instead of pumping the sewage across the Eastern Branch to the lower outfall, it is proposed to have it pumped westerly to the river opposite Gravelly Point. The outfall sewer would extend from the pumping station along the line of O street to Water street, thence by inverted siphons of iron pipe under the Washington Channel and across the flats to the point of discharge in deep water of the main channel, as indicated by dotted lines.

The sewage of the territory south of the Eastern Branch should be carried by an independent sewer to an outlet at the point above the Naval Magazine. In order to properly compare the cost of the different projects, we have estimated upon an outfall sewer below Poplar Point, where its line would be practically identical with the line of the outfall sewer of Project I. The cost of such a sewer, 3 feet 6 inches in diameter is approximately estimated at $144,600. As this sewer might not be built for a number of years, we have thought it proper to include in the comparisons but $100,000 for the present value of a sewer in this place.

The estimated cost of the project (see Appendix B) is—	
North of Eastern Branch	$3,243,902
South of Eastern Branch	100,000
Total	3,343,902
The estimated annual cost is—	
Interest on first cost and depreciation at 4 per cent	133,756
Operating and maintaining pumping station	19,920
Total	153,676

PROJECT III. (See Plate X.)

This and the remaining projects contemplate the discharge of all sewage, except from the central low district by gravity, the outfalls being in the main channel above and below the mouth of the Eastern Branch.

The Rock Creek and B street interceptor (Project I) would stop at G street and have a permanent outlet in the Potomac slightly below the mouth of Rock Creek.

The F street and Easby's Point high-level interceptor would be identical with that of the same name in Project I, except that it will be provided with outlet pipes to carry the sewage to deep water, but it would deliver both sewage and storm water permanently at Easby's Point.

The Water and M street low-level interceptor, the new outlet for the old B street sewer, and the Tiber Creek and New Jersey avenue high-level interceptor would be identical in size and functions with the same sewers of Project I, except that the last-mentioned interceptor would receive only storm-water.

The East side interceptor would be located at such an elevation as to enable it to discharge by gravity at an outlet in the main channel, opposite Gravelly Point. At New Jersey avenue and M street this interceptor would receive the sewage, pumped from the central low district and from South Washington, and then follow along N street to South Capitol street, where it would receive the sewage of the Upper Tiber Valley, collected by the Tiber Creek and South Capitol street sewage interceptor.

The N street outfall sewer begins at South Capitol street and runs through N street as a brick sewer to a point near Water street, from which cast-iron pipes would be laid as inverted siphons across the Washington Channel and across the flats to deep water in the main channel. Above the inlet to the siphon pipes provision would be made for screening the sewage and settling the heavier substances in it, thus removing substances which might obstruct the pipes.

In this project there is very little sewage in the low district to flow through the upper portion of the B street and New Jersey avenue trunk sewer, which is principally designed for storm water and has flat gradients. This sewer would, therefore, have to be supplemented by a small sewage interceptor laid with steeper gradients as far as the junction with the old Tiber sewer, in order to obtain sufficient velocity to prevent deposits.

Below this junction the large sewer is designed to have a small channel in the bottom to concentrate the flow of sewage, and produce enough velocity to prevent deposits of sewage matter. A velocity sufficient to remove sand and gravel could be obtained only by lowering the large sewer to give more slope, thereby increasing the cost.

The trunk sewer and the lower portion of the Tiber Creek and New Jersey avenue high-level interceptor, on account of being so much below tide-level, will have a sluggish current during all ordinary storms when the depth of water is increased, causing sand and gravel washed into them to deposit. As in this project there will not be sufficient current to remove these deposits after the sewer is pumped down, removal by hand may be necessary.

Short siphons will be required where the Tiber Creek and South Capitol street sewage interceptor crosses the old Tiber sewer and the Tiber Creek and New Jersey avenue high-level interceptor near its upper end.

About six-tenths of the sewage from north of the Eastern Branch, both from existing population and from the estimated future population, would be discharged at the outlet opposite Gravelly Point and about four-tenths in the vicinity of Easby's Point and at the foot of G street.

The estimated cost of the project (see Appendix B) is—	
North of Eastern Branch	$3,298,825
South of Eastern Branch	100,000
Total	3,393,825
The estimated annual cost is—	
Interest on first cost and depreciation, at 4 per cent	135,753
Operating and maintaining pumping station	11,474
Total	147,227

PROJECT IV.

For the purpose of reducing the cost, the foregoing project might be slightly modified, as follows:

The Tiber Creek and South Capitol street sewage interceptor can be discarded, and in its place the F street and Easby's Point interceptor can be extended as a sewage interceptor only, along F street from Seventh to North Capitol streets, thence to three points of interception on North Capitol, F, and G streets. As a result of this change a much larger quantity of sewage is discharged at Easby's Point, and this interceptor would be increased in size, while the N street sewer below South Capital Street, and the outlet pipes extending to opposite Gravelly Point, would be diminished in size.

The relative proportion of sewage discharged at the latter place and in the vicinity of Easby's Point would be nearly reversed by the adoption of this project, viz, about one-third of the present and future amount would be discharged opposite Gravelly Point, and about two-thirds would enter the river near and above Easby's Point. In this project several siphons would be required at crossings of proposed and existing sewers.

The estimated cost of the project (see Appendix B) is—	
North of Eastern Branch	$3,195,676
South of Eastern Branch	100,000
Total	3,295,676
The estimated annual cost is—	
Interest on first cost and depreciation, at 4 per cent	131,827
Operating and maintaining pumping station	11,474
Total	143,301

PROJECT V.

We have finally examined into the details of a project delivering no sewage near Easby's Point, but discharging it instead opposite Gravelly Point.

To attain this object the Rock Creek and Twenty-seventh street interceptor, of Project III, would have to be raised, its gradients flattened, and its size increased. It would be extended across the low land to the Monument Grounds in the proposed dike and through South Washington to a junction with the N street sewer, modified and extended, at K street, receiving on its way the sewage from the F street and Easby's Point interceptor. From its junction with the N street sewer the outlet pipes would be the same as required in Project II, except that they would start from K street instead of O street.

In order to deliver sewage into this sewer, the F street and Easby's Point interceptor would have to be raised several feet at the crossing.

This flattens its slope and brings it nearer the surface of the streets than is desirable.

With the exception of a little change in the routes of the N street sewer, and the Tiber Creek and South Capitol street sewage interceptor and a slight elevation of the grade of the east side interceptor, the other sewers of this project would be identical with those in Project III (shown on Plate X).

The estimated cost of the project (see Appendix B) is—

North of Eastern Branch	$3,773,671
South of Eastern Branch	100,000
Total	3,873,671

The estimated annual cost is—

Interest on first cost and depreciation, at 4 per cent	154,947
Operating and maintaining pumping station	11,474
Total	166,421

COMPARISON OF PROJECTS.

The five projects just described provide about equally well for the removal of storm water from the entire city, and for a protection of the low parts during the highest freshets in the river. They vary as to the location of the outlets into the Potomac River, as to the relative quantity there delivered, as to the presence of unsatisfactory features, and as to the cost.

From the following condensed table it will be seen that the differences of cost are not great:

No. of project.	Main outfalls.	Total cost.	Annual cost.
I	Near Naval Magazine	$3,598,003	$163,840
II	Opposite Gravelly Point	3,343,902	153,676
III	Four-tenths near Easby's Point and six-tenths opposite Gravelly Point	3,393,825	147,227
IV	Two-thirds near Easby's Point and one-third opposite Gravelly Point	3,295,676	143,301
V	Opposite Gravelly Point	3,873,671	166 421

In making comparisons of cost it is necessary to consider only the last column, as it includes a sufficient annual charge to pay the interest and ultimately the principal invested in the works. If interest is reckoned at 3 per cent., the principal would be extinguished in forty-seven years.

In comparing the projects it is easy to eliminate Project V, as its outlet is the same as that of Project II, while its cost is greater and the system of sewers within the city is much less satisfactory. Likewise Project IV can be eliminated by comparison with Project III, because the slightly smaller annual cost of the former is entirely insufficient to offset the disadvantage of discharging so much sewage near Easby's Point, in the vicinity of wharves and population, above the proposed park along the river front, and where, for reasons stated at length in Part II, the sewage will not be as well mingled with the river water as at the other outlets.

In comparing Projects I and II, which are substantially the same as regards everything except the outlets, the question is narrowed down to this: Is it justifiable to increase the annual cost 7 per cent. ($10,200), in order to discharge the sewage at the lower outlet? From our ex-

aminations and studies of the relative merits of these outlets, as presented in Part II, and having due consideration for future requirements, we are of the opinion that the advantages of the lower outlet would justify not only this additional expenditure, but a much greater one.

A comparison of Projects I and III, with reference to outlets alone, leads us to recommend the former, for the reasons above stated, though it would cost annually 11 per cent. ($16,600) more than the latter. In this case, however, we shall make a comparison in detail so as to indicate more fully the differences between the two schemes.

The former has the following relative advantages:

(1) The outlet is located where there will be a more even mingling of the sewage with the river water, and much better currents to cause wide dispersion. It is so far down the river that the sewage can not come back into the Eastern Branch, Washington Channel, or the tidal reservoir at its head, and is not near wharves and docks, populous districts or parks.

(2) The passage of the sewage through screens and pumps, and the longer distance to the outlet, will cause the offensive solid matter to be more highly comminuted before it is discharged into the river.

(3) The concentration of all the sewage at one pumping station permits, at a reasonable cost, the removal of coarse substances and heavy matters which might otherwise strand on the shores or obstruct the channels, while in Project III such removal at the upper outfalls is not so easily accomplished, and we have not embodied its probable cost in our estimates.

(4) Only one siphon is required in Project I, and it is located just beyond the pumping station, where it can be thoroughly flushed by the high velocity which the pumps can create; while in Project III, one large and two small siphons, less favorably situated, are required.

(5) The B Street and New Jersey avenue trunk sewer and the Tiber Creek and New Jersey avenue high level interceptor, both of which accumulate deposits of sand and gravel during storms, will, in Project I, for the most part, be scoured out in dry weather by the concentrated flow of sewage, while in Project III these deposits will often require removal by hand. The annual cost of this removal has not been included in the estimates.

(6) Considering the possible future improvements which in places may occupy the streets to a considerable depth below the present surface, such as subways or changes of grade to avoid surface crossings of railroad tracks, Project I has the advantage in having a greater length of sewers sufficiently low to avoid interference.

(7) In Project I the upper end of the East Side intercepting sewer can be placed low enough to intercept the sewage from the Boundary sewer, if it should ever be necessary, and from considerable territory adjacent to the Eastern Branch near and above the Boundary, which in Project III could only be taken into the main system by establishing an auxiliary pumping station.

These advantages have convinced us that Project I is the best, and we therefore recommend its adoption.

CONCLUSIONS.

The more important features and the merits of the recommended project may now be summarized as follows:

The proposed plan includes deeply-laid intercepting sewers to carry practically all the sewage of the city to a suitable outlet in deep water of

the Potomac River, storm-water sewers to drain the low districts and to intercept the waters which would otherwise reach it from the higher districts, dikes to prevent the entrance of river water during freshets, and pumps to lift the sewage at all times and the storm water of the low district when the river is unusually high. The pumps for both purposes are to be at one station near the foot of New Jersey avenue. The large sewers designed primarily for storm water removal, serve also as sewage interceptors.

Estimated cost of the works	$3,598,003
Annual cost for interest and depreciation	143,920
Annual cost of pumping	19,920
Total annual cost	163,840

Of the first cost, approximately, $1,650,000 may be charged to the improved system of sewage disposal, and $1,948,000 to the protection of the low district from flooding. The combination of the works required for these two purposes has resulted in a saving of about $900,000, so that to obtain the cost of either one independently $450,000 should be added to each of the amounts above given.

Provision is made in all parts of the project for the sewage of a population of at least 500,000. The storm-water sewers, which represent nearly one-half of the total cost, are large enough to take the sewage of the densest population which can contribute to them.

The sewage will be discharged so far below the city that it can not come back with the tide, and at a point where the dilution will be so great that no offense can be caused until the population of the District exceeds 800,000, and additional works are required.

The flooding of the low district by heavy storms and river freshets will be prevented.

The present foul canals will be abandoned and can be filled up.

The low, flat, and unsanitary sewers in the low district will also be abandoned as sewage carriers, but can be utilized to carry only storm water and the overflow of very dilute sewage from the new sewers during heavy storms.

The currents in the proposed sewers will be sufficiently strong to prevent deposits.

The ground water in the low district will be permanently lowered.

Ample provision has been made for the removal of storm water from within the city limits.

The sewers are laid at such a depth that they will not interfere with future underground constructions in the streets.

We have endeavored to make the estimates large enough to cover all contingencies, such as experience has shown are liable to be met with on works of this magnitude, even when carefully planned in advance and built under good management; and we believe that, with sufficient appropriations to prevent delay and with present market prices, the works can be built for the sum estimated by us.

We have not thought it necessary to determine the order in which the works should be built, as this can best be done when their execution is decided upon. We wish to say, however, that we were unable to devise a scheme which would be economical and efficient, and at the same time give any large measure of relief by building only one of its parts. We therefore urge the importance of providing at one time for the construction of the entire works. Partial relief may in a few instances

be provided before the completion of the works. For instance, by the construction of the Rock Creek sewer as far as G street, the pollution of this stream can be prevented. The F street and Easby's Point interceptor can prevent the surcharging of the present B street sewer during heavy storms. It is also probable that the low district may be protected from river freshets by a comparatively small additional expenditure for temporary works; but this protection would be efficient only so long as there is no heavy rain-fall at the time of the freshet. Relief at all times from flooding can only be obtained when the permanent works have been completed.

As the proposed project contains several features which have not heretofore existed in the sewerage system of Washington, and in order to forestall criticism by those who are not familiar with the more recent experience in sewerage works, we desire to add the following remarks.

The proposed work and its cost do not reach an unusual magnitude. In Europe and America there are instances where works of much greater extent have been or are to be built. London required for her sewage removal interceptors and pumping stations costing over $25,000,000, and present extensions looking towards a partial sewage purification will require the additional sum of about $10,000,000. Berlin has spent about $15,000,000 for improved sewerage, including works for disposal. In the United States, the city of Boston has expended $5,500,000 for main sewerage works, and with its suburbs is about to spend as much more, making a total cost of $11,000,000. Providence has begun the construction of a series of interceptors and of a plant for precipitation to cost about $3,500,000. Chicago has also begun to build works for purposes of sewage removal which will cost over $25,000,000. The estimated cost of proposed works for Milwaukee is $3,900,000. The total expenditure required for the District of Columbia is estimated at $3,598,000, and this includes not only the removal of sewage, but also the protection of the low district from freshets.

That the entire sewage of a city can be pumped without difficulty is made evident by experience in London, Berlin, Paris, Boston, and Milwaukee. A sewage pumping station, if suitably arranged and ventilated, is entirely inoffensive. Of this we have instances in London, and particularly in Berlin, where such works, of large capacity, are located in the interior of the city and are not found in the least objectionable.

The use of tide-gates and automatic regulators may appear to complicate the operation of the system, but carefully designed apparatus of this class has been quite satisfactorily used in several European cities, and in Boston, Mass., in sewers even further below tide level than those proposed for Washington. The tide-gates and regulators in Boston have not shown one instance of failure during the six years that the works have been in operation. They require but little attention to insure their proper operation, and there is no reason why this can not be guaranteed in Washington as well as elsewhere.

Regarding the depression of the bottoms of the two largest sewers to a considerable depth below high tide, we desire to say that they will operate successfully. During heavy rains they will fill up with water and the current will not be strong, so that some of the heavier matter will deposit. This condition, however, will be of short duration, for as soon as the water is pumped down and the concentrated flow of sewage is re-established they will again become self-cleansing. If there was no pumping station connected with them, and they consequently remained nearly full at all times, deposits would accumulate as they now do in the old Tiber Sewer.

We have endeavored to devise the best possible plan for the improvement of the sanitary condition of the District, and feel gratified that we can present a project which accomplishes the end for a relatively small cost and is so free from sanitary and engineering objections.

Before concluding, we desire to express our special obligations to Mr. J. Foster Flagg, civil engineer, who has been our principal assistant in making these investigations and preparing the plans and estimates.

Respectfully presented.

RUDOLPH HERING.
SAMUEL M. GRAY.
FREDERIC P. STEARNS.

JUNE, 1890.

APPENDIX A.

DETAILED DESCRIPTION OF WORKS RECOMMENDED.

PROJECT I.

THE ROCK CREEK AND B STREET INTERCEPTOR.

This sewer will commence at the Boundary, at or near Twenty-second street, northwest, and after receiving the discharge of the new Rock Creek Valley sewer, now under construction, it will pass under the Boundary sewer and through Twenty-second street to M street and there intercept the large Slash Run sewer; thence it will pass through M street to Twenty-sixth street, uniting there with the branch interceptor from Georgetown; thence through Twenty-sixth, and Twenty-seventh, and upper Water streets to Twenty-second street, there intercepting the sewage from the F street and Easby's Point high level interceptor, continuing through upper Water and B streets to Virginia avenue, where it will discharge into the upper end of the Trunk sewer.

The Georgetown branch of this interceptor will start at a point on Bridge street about 250 feet west of Twenty-eighth street, there intercepting the present sewer, and pass through Bridge street and across M street bridge to its junction with the main interceptor at Twenty-sixth and M streets. It will be supported at the crossing of Rock Creek on trusses erected on the abutments of M street bridge under the south sidewalk in the same manner that the 48-inch iron water-pipe is supported under the north sidewalk. The sewer will not be below the level of the bottom of the existing roadway trusses. A lateral on Twenty-seventh street in Georgetown will intercept the sewage coming from the northwest. The Bridge street sewer can be extended to the western end of the street so as to intercept, if it should ever be necessary, the entire area north of it. This extension is not needed at the present time, nor does it seem likely to be in the near future, and therefore is not provided for in the estimates. As between I street and the Boundary the interceptor will be almost entirely in tunnel (generally in rock), and in most cases much below the level of the existing sewers which it is intended to intercept, the use of regulating gates would be expensive and somewhat difficult. It is proposed, therefore, for this section of the line to regulate the flow from the local sewers into the interceptor by using restricted openings at the connections and providing low overflows over which the storm water can pass to the existing outlets of the sewers. Should any surplus storm water enter the interceptor at these openings, it will be provided for by an overflow into the Potomac at G street. A large regulating-gate below this overflow will prevent surcharge of the interceptor below.

Another large regulator will be placed upon the interceptor just above Virginia avenue to keep the sewage from entering the trunk sewer in the low district during storms and force it to discharge through the F street and Easby's Point interceptor into the Potomac.

From near the Boundary to Twenty-seventh and K streets the line of the sewer will probably be mostly in rock, and as its invert for this portion will be from 27 to 58 feet below the surface of the streets, it is proposed to build it in tunnel.

The interceptor will be circular in form and its diameter will vary from 4 feet 4 inches at the upper end to 6 feet 6 inches at the lower end, the Georgetown branches being 2 feet 6 inches and 15 inches in size, respectively, and the G street outlet 4 feet in diameter. Including the branches it will have a length of 14,670 feet, and its estimated cost $377,888.

THE EAST SIDE INTERCEPTOR.

This interceptor is intended to receive all the sewage which would naturally flow into the Eastern Branch, east of New Jersey avenue, both above and below the Boundary. It is, however, shown on the plan as beginning at the Boundary sewer because the territory beyond is not sufficiently improved to enable a proper route to be determined. Even between this sewer and the jail grounds the route is somewhat uncertain, as the streets are not graded, nor are their eventual elevations even determined.

It may be as follows:

Starting at the Boundary sewer on E street between Seventeenth and Eighteenth streets, thence via E to Seventeenth street, Seventeenth to D street, D to Twentieth street, Twentieth to C street, C to Twenty-first street, Twenty-first to East Capitol street, East Capitol to Twenty-second street, Twenty-second to A street (south), A to Twenty-third street, Twenty-third to the jail grounds; thence its course will be due south across the jail grounds to G street, through G street to Twentieth street, and Twentieth to the southeast corner of the Congressional Cemetery, skirting the cemetery to Pennsylvania avenue. It will then pass through Water street to N street, and through N, Ninth, and M streets to its confluence with the B street and New Jersey avenue trunk sewer.

The size of the interceptor, circular in form, will vary from 3 feet at its upper end to 4 feet 2 inches at its outlet, which will be sufficient to permit its extension whenever necessary and provide for the sewage from a considerable area north of the city and east of Bladensburgh road. Its length will be about 18,000 feet.

As a large portion of its drainage area is as yet unsewered and but little occupied with dwellings, it is not necessary to build this interceptor at present beyond N and Twelfth streets. The portion which it is proposed to build will at first have only a small quantity of sewage flowing through it, and will therefore have somewhat less velocity than is desirable; as its upper end is close to the Eastern Branch and below tide level, provision should be made for flushing it occasionally from this source. The cost of this portion of the sewer, amounting to $85,468, is included in the estimates. The cost of the portion not so included will be in the neighborhood of $165,000.

WATER AND M STREET INTERCEPTOR.

This interceptor will commence in Water street, South Washington, 150 feet west of Thirteen-and-a-half street, and pass southerly through Water street to M street, where it will unite with a branch running

northerly on Water street from O street, thence after intercepting the sewage of the Four-and-a-half street high level interceptor it will pass through M street to its junction with the trunk sewer at New Jersey avenue.

Its size will vary from its upper terminus to the James Creek Canal from 15 inches to 2 feet 6 inches; at the latter point, as it will then also receive the storm-water from the low district, its size will be increased to 5 feet 3 inches, and at One-half street west it will again enlarge to 8 feet 6 inches for the remainder of its length. The southerly branch in Water street has a diameter of 12 inches throughout its length.

A branch sewer, draining a part of the low district, from 7 feet to 7 feet 9 inches in size, will commence at I street and run through One-half street west to the junction at M street.

The total length of this interceptor and its branches will be 11,175 feet, and their aggregate cost $162,174.

If necessary in the future, a branch sewage interceptor from the southern end of Buzzard's Point can be built along Second street to the Water and M street interceptor, and provide for the sewage from the western slope of the point. The eastern slope can similarly be provided for by a sewage interceptor discharging into the trunk sewer at N street. The cost of these sewers is not included in any of the estimates.

F STREET AND EASBY'S POINT HIGH-LEVEL INTERCEPTOR.

This sewer will take the storm-water and sewage from an area of 537 acres. As this includes, however, 29 acres of the White Lot, from which about two-thirds as much storm-water as from other portions of the area would enter the sewer, one-third of the area has been deducted from the total, leaving 527 acres as the equivalent populated area. The sewer will commence at Seventh and F streets northwest and thence it will pass through F and Fifteenth streets to Pennsylvania avenue, where, after receiving the sewage and storm-water from the existing New York avenue sewer, it will enter the White Lot and cross it to the corner of D and Seventeeth streets, thence it will pass through D, Eighteenth, C, and Twenty-first streets. It will then cross to Twenty-second street at the corner of Water street, where its sewage will be intercepted by the Rock Creek and B street interceptor. To discharge the storm-water it will cross over this interceptor and after running westerly a short distance in Water street, will take the most direct course to the banks of the Potomac.

The crown of the Rock Creek and B street interceptor, at the crossing, will project above the level of the invert of the F street and Easby's Point interceptor, thus forming a dam to divert the ordinary flow of sewage through a connecting pipe into the sewage interceptor. This connecting pipe will be supplied with a regulator to throttle or stop the flow into the lower sewer during storms. A second connection of large size will lead from the lower sewer into the upper one below the crossing and will be provided with a double set of tide-gates to prevent backflow. This overflow will operate during all heavy storms when the regulating gates at Virginia avenue, already mentioned, close to prevent the sewage from entering the trunk sewer in the low district.

Duplicate tide-gates will be required on the upper sewer just below the crossing to keep the river water out during high tides and freshets.

The high-level interceptor from its junction with the New York avenue sewer at Fifteenth street and Pennsylvania avenue to its outlet, is proportioned for a flow equal to the entire water from a rain-fall of $1\frac{1}{4}$

inches per hour upon its drainage area of 527 acres, when running full but not surcharged. By allowing the hydraulic gradients to rise at Fifteenth street and Pennsylvania avenue 2.6 feet above the crown of the sewer, its capacity will be increased to the equivalent of 1½ inches per hour, and with this elevation of the hydraulic gradients, the upper portions of this sewer will have the full capacity for which they were designed, namely, an excess over the 1½ inches per hour, increasing as the size of the drainage area decreases.

From its upper terminus to the crossing of the Rock Creek and B street interceptor at Twenty-fifth street the sewer will be circular in form, and vary from 4 feet 3 inches to 11 feet 3 inches in diameter. From the latter point it will have a horseshoe-shaped section with curved invert, 11 feet 3 inches in diameter at the springing line by 10 feet 3 inches in height.

The total length of this sewer will be 10,535 feet and its cost $275,368.

FOUR-AND-A-HALF STREET HIGH-LEVEL INTERCEPTOR.

This interceptor will start from the intersection of B and Seventh streets southwest, where a connection will be made with it from the buildings in the park, and it will receive the flow of the sewers running northward on Seventh street. Thence it will pass through B, Sixth, C, Four-and-a-half, and M streets to Water street, where, to have its dry-weather flow of sewage intercepted, a connection will be made with the Water and M street interceptor. The sewer thence is carried across Water street to discharge the storm water into the Washington Channel. In order to keep down the hydraulic gradient during storms, and thereby cause less backing up of sewage in the lateral sewers discharging into it, the invert of this interceptor, just above the tidal gates at its mouth, where its diameter is 6 feet 9 inches, will be placed at 4.2 feet below datum (or 5 feet below mean high tide). The sill of the tidal gates will, however, be placed at mean low tide, so as to render them more accessible. Just above the tide-gates the dry-weather flow of this sewer will be discharged into the Water and M street interceptor through a connection provided with a regulator.

This high-level interceptor, which drains 105 acres, is proportioned to carry the amount of water indicated by the curve on Plate VIII.

The total length of this interceptor will be 6,464 feet, its diameter varying from 4 feet 2 inches to 6 feet 9 inches, and its cost is estimated at $112,550.

TIBER CREEK AND NEW JERSEY AVENUE HIGH-LEVEL INTERCEPTOR.

This interceptor will commence at the corner of C and First streets northwest, where it will intercept the old Tiber sewer at the lowest point at which it is possible to receive the storm-water for the purpose of delivering it by gravity to the Eastern Branch. Its course will then be through C and Arthur streets to the Capitol Grounds, thence through the Capitol Grounds on the line of Arthur street to about the line of the southern side of the Capitol, and thence southeasterly to the junction of Delaware avenue and South B street. From South B street it will pass through Delaware avenue to Canal street, through Canal street to Garfield Park, across Garfield Park to New Jersey avenue, and through New Jersey avenue to the Eastern Branch. This location of the outlet has been chosen because it gives the shortest distance to the river from the point of interception, saving very much in cost over a route by the way of the valley of the James Creek Canal.

At the foot of New Jersey avenue, a little above the proposed pumping station, the Tiber Creek and New Jersey avenue interceptor will discharge its dry-weather flow into the B street and NewJersey avenue trunk sewer through a connecting pipe which will be provided with a positive gate and with an automatic gate for cutting off or regulating the flow.

The Tiber Creek and New Jersey avenue interceptor will have a uniform diameter of 14 feet down to the connecting pipe, where the level of the invert will be 9.25 feet below datum. From this point to the tide-gates at the bank of the Eastern Branch the section of the sewer will be modified by increasing its width and raising the invert so as to bring its contents to the tide-gate chamber as nearly opposite the tide-gates as possible. These gates, to be accessible, should not extend very far below low tide, and it would be of little advantage to extend them more than a foot above high tide, because the water flowing from the sewer would not rise to fill them. As the height of the gates is thus limited to 6 or 7 feet, and the width of each gate is also limited by practical considerations, it will be necessary, in order to provide for the efflux, without excessive velocity, of the maximum amount of storm-water which this sewer can bring, to have several gates side by side. The suggested plan for this section of the sewer is to change just beyond the point of interception by a bell-mouth from the 14-foot sewer to twin sewers, each 12 feet wide and 10 feet high, having their inverts slightly curved and higher than that of the 14-foot sewer. These sewers would rise gradually to the gate chamber and would again widen before reaching it. On the opposite side of the chamber from the sewers eight double sets of tide-gates are to be placed side by side in bays 4.5 feet wide. The outer end of these bays to be provided with grooves, in which stop-planks or a wooden gate can be placed whenever it becomes necessary to repair the tide-gates. This interceptor will have sufficient capacity to discharge the entire water of a rainfall of 1.16 inches per hour from its drainage area of 1,149 acres, as indicated on Plate IX. Under existing conditions this drainage area is somewhat larger on account of a small territory now draining southerly from which the water is to be diverted into the Boundary sewer.

The total length of the interceptor will be 8,584 feet, and its cost $483,511.

B STREET AND NEW JERSEY AVENUE TRUNK SEWER.

This sewer will commence at Virginia avenue and B street northwest, forming a continuation of the Rock Creek and B street interceptor, and thence will pass through B street, Sixth street, Missouri avenue, Third and Canal streets to Garfield Park; thence across Garfield Park to New Jersey avenue, and through New Jersey avenue to the Eastern Branch where the pumping station is located. This sewer will under different circumstances discharge its contents in three different ways. In dry weather the sewage flowing through it will be intercepted just south of N street and conveyed to the sewage pumps. Ordinary storms will be intercepted at the same place and disposed of in the same way. Heavy storms at ordinary stages of the river will overflow through tide-gate openings into the Eastern Branch; while those occurring when the river is raised above its ordinary level by freshets will be diverted to the sewage pumps and to additional storm-water pumps, and lifted by them into the main river and the Eastern Branch. From the point below N street where the sewage is intercepted to the

Eastern Branch this sewer will be treated in the same general way as that last described. The total area of tide-gate openings should, however, be greater in proportion to the drainage area than in the other case, so that the maximum velocity through them due to the heaviest storm will not exceed 4 feet per second. The crown of the sewer is kept nearly at the level of high tide for its whole length so that the entire cross-section of the sewer will be available for conveying the storm-water, thereby keeping its surface as low as possible. The sewer varies in diameter from 7 feet at its upper end to 15 feet at its lower end where the sewage is intercepted. The direct drainage area of this sewer comprises 717 acres, of which 62 acres are parks.

It is assumed that only one-half as much water will reach the sewer during heavy storms from these parks as from the populated territory, and for convenience one-half of their area has been deducted from the total, leaving 686 acres as the equivalent populated area. In addition to this direct drainage area there are 208 acres of parks, equal to 104 acres of populated territory, from which the water will drain directly into the present B street sewer and discharge, during very heavy storms at ordinary stages of the river, into the tidal reservoir. During freshets, when this outlet will be closed, this water will be carried through the trunk sewer to the pumps making its drainage area during freshets 790 acres. The trunk sewer, with the aid of portions of the Tiber Creek and Missouri avenue sewers, which run parallel with it and will be utilized as supplementary channels during heavy storms, is designed to carry the entire water of a rainfall of $1\frac{1}{4}$ inches per hour upon its direct drainage area, when the water in its upper end at Virginia avenue is but 3 feet above high tide in the Eastern Branch.

During freshets when the larger area must be drained through this sewer it will have somewhat less capacity per acre but will still be of ample size, as experience has shown that the freshets do not come at the same season of the year with the rainfalls of greatest intensity.

A branch from the trunk sewer at Garfield Park will drain a portion of the James Creek Valley south of the Baltimore and Potomac Railroad, which is not provided for by the Water and M street interceptor. The upper end of this branch will be at G and South Capitol streets. The old Tiber sewer will continue to bring the sewage from the small territory tributary to it below the point of interception at the corner of C and First streets northwest, but in order to prevent the deposits which would occur if used in its present condition, a semicircular concrete channel is to be constructed in it along one side, to carry the sewage and the flow from ordinary storms. Branches entering the opposite side of the Tiber sewer will be extended across it to the semicircular channel by open channels on arches or piers so arranged as to permit the passage through the Tiber sewer of any overflow of water which may take place during heavy storms. The diameter of the semicircular channel is to vary from 15 inches at its upper end to 2 feet 6 inches at its junction with the Tiber sewer; the slope to be 1 in 250 above B street and 1 in 350 below it.

The present B-street sewer which is to receive surface water from the parks will, on all ordinary occasions, discharge into the trunk sewer through two or more connections, provided with swing gates which will prevent any flow of sewage in the opposite direction. To provide for the discharge of very heavy storms at ordinary stages of the river it is proposed to extend the B-street sewer by building a covered brick channel 5 feet 3 inches high, 7 feet 6 inches wide, and 1,000 feet long to the small basin of the tidal reservoir west of the Monument. This

channel is intended to have a slightly curved invert and low side-walls surmounted by a semicircular arch. Its bottom will be at nearly the same level as the end of the present sewer in B street. Its outer end is to be protected by tide-gates. As this outlet will discharge into the tidal reservoir only during heavy storms and then only the clean water from the parks, it is not thought that there can be any sanitary objection to its use. It is not, however, an essential feature of the proposed scheme, as the trunk sewer can be enlarged to take all the water from the low district to the Eastern Branch. This enlargement would, however, cost much more than the extension of the B-street sewer.

The manner in which the trunk sewer will operate, and its effect upon the level of the ground-water in the low district, have already been fully described in Part III.

This sewer, including its branches, will have a total length of 15,711 feet, and its cost is estimated at $719,101. The cost of the extension of the B-street sewer is estimated at $30,716.

DIKES.

(A description of the dikes is given in Part III.)

PUMPING STATION.

The pumping station is to be located near the Eastern Branch, at the foot of New Jersey avenue. It may be placed in the center of the avenue, where there is now a dock, or on land on either side.

The former location has some advantages which lead us to favor its adoption, and a sketch (Plate XII) has been prepared to indicate the general arrangement of a pumping station and its appurtenances at this place. The same general features should be included in the pumping station, if located on one side of the avenue.

This neighborhood permits the pumping station, both for lifting the dry-weather flow of sewage into the siphon and for relieving the diked areas of excessive storm-water to be combined into one, thus reducing not only the cost of construction but very materially the cost of operation.

The dry-weather sewage will be diverted from the trunk sewer and pass, first, through deposit sewers, where sand and gravel or other heavy material is allowed to settle, next through screens removing all coarse substances, then to the sewage pumps lifting it to the siphon chamber, from which it will flow by gravity to the outlet into the Potomac River. During ordinary storms the diluted sewage will take this same course. During heavier storms, when the sewage is much more diluted, the excess over the amount which can be lifted by the sewage pumps will be allowed to overflow into the Eastern Branch, provided it is not raised by freshets above its ordinary level. If it is higher this excess will be diverted to the storm-water pumps and lifted into the Branch.

The deposit sewers should be constructed in duplicate, and provided with gates at both ends to regulate the flow through them, and to disconnect either one for cleaning or repairs while the other is in use. They may each consist of an enlargement of the sewer by deepening and widening so that the velocity will be reduced to 1 foot a second or less, which permits the heavy material brought down by the current of sewage to settle. It is proposed to have machinery for removing the deposited material while the sewers are in operation, and to raise it to elevated tanks in the pumping-station building. In these tanks the

material can be washed and the lighter, offensive matters removed and turned back into the sewer. The sand and gravel can be removed in carts or in such other way as may be found best.

The screens should be in duplicate openings, with duplicate screens in each opening, so that one can be in place while the other is removed for cleaning. Provision should be made for removing the substances caught by the screens while the works are in operation. Judging from experience, these screens intercept but a small quantity of material per day, which can be freed from water by a press and burned.

The sewage pumps should have a total capacity of 230 cubic feet a second (which is equal to that of the outfall sewer), with a maximum lift of 25 feet. The ordinary lift will be about 18 feet. This capacity is much more than will be needed for pumping the ordinary flow of sewage for many years, but it will be useful for pumping the dilute sewage during ordinary storms to a suitable outlet, thereby preventing its discharge into the Eastern Branch. The pumps are to be of various sizes to accommodate the varying quantity of sewage, and each should be by itself in a well provided with a gate, or otherwise arranged so that it can be easily isolated and emptied for inspection and repairs. An auxiliary pump should be provided to pump out the lower part of these wells, as this can not be done by the large pumps. Centrifugal pumps operated by high-duty engines are recommended for this work rather than reciprocating pumps, because they are simpler, less liable to serious accident, cost much less, and do not require as expensive foundations or as large a pumping station; moreover, with a low lift, such as is required at Washington, some recent examples of pumps of this class give nearly as great an efficiency as would be given by the best examples of high-duty reciprocating pumping-engines.

The best instance of centrifugal sewage pumping machinery to compare with that proposed for Washington is found at Milwaukee, where 86 cubic feet per second of mixed sewage and water are pumped daily to a height of 16 feet, with a yearly consumption of 2,300 tons of coal. The annual cost of maintaining this station is $21,000. The average daily quantity of sewage and storm-water to be pumped at Washington would not exceed three-fourths of the amount pumped at Milwaukee, and the expense for fuel would therefore be somewhat less.

The storm-water pumps should supplement the sewage pumps to such an extent that the total capacity of both will equal 800 cubic feet per second. The maximum lift of the storm-water need not exceed 8 feet during the highest freshets, and with ordinary freshets would be much less. For this service two kinds of pumps have been considered; centrifugal pumps similar to those recommended for pumping the sewage, and propeller pumps like one in use at the flushing works at Milwaukee. This pump lifts about 700 cubic feet of water per second to a height of 3 feet, with much economy in the use of fuel. If this class of pump will lift to a height of 8 feet with approximately the same efficiency, as claimed by the makers, it would be cheaper, and would meet the requirements at Washington better than centrifugal pumps. We have, however, concluded to base our estimates upon the latter form of pumps, because experience has shown them capable of doing the required work, which can not yet be said of the others. We recommend, however, that the relative merits of these two classes of pumps be further investigated before finally deciding which to adopt.

All the storm-water pumps may be in a single well, separate from the sewage pumps, and the water flowing to them from the trunk sewer needs to pass only through a very coarse screen. In selecting engines

to operate the storm-water pumps simplicity should be aimed at rather than a high duty.

While we have designed to take care of rains of great intensity occurring simultaneously with high freshets in the river, this condition will exist but very rarely. We are, therefore, of the opinion that while the total plant should have sufficient capacity to pump the above-stated 800 cubic feet of water per second, when running at a safe speed, it is unnecessary to have additional pumps in reserve to be used in case of break down on such rare occasions. On all ordinary occasions there will be enough of the plant in reserve to provide for all contingencies.

The siphon chamber should be located within the exterior walls of the pumping station, as near the sewage pumps as it is feasible to place it. The force mains from all of the sewage pumps should enter it, and the siphon pipes start from it. Provision should be made for using any one or more of the siphon pipes at one time, and the chamber should be sufficiently elevated to give a large head for thoroughly flushing them.

Complete and ample ventilation should be provided, which will remove through the chimney enough air from the pump wells, deposit sewers, screen chambers, and other similar parts of the works, to prevent this air from escaping into the other parts of the station or into the street. The chimney should be designed with this service in view.

The station should be supplied with a store-house, repair shop and other conveniences for operating the works properly.

The cost of the pumping station, including all appurtenances, is estimated at $627,250.

INVERTED SIPHONS.

From the pumping station the sewage will pass through a triple line of 48-inch cast-iron inverted siphons laid beneath the bed of the Eastern Branch to Poplar Point.

The silt forming the bed in the shallower portions is too soft to permit the pipes to be laid directly upon it, and it is therefore proposed to support them upon piles. The estimates are based upon the following methods of construction: The piles to support the pipes are to be driven in bents of three, in a dredged channel. They should be cut off and capped at such a depth that to prevent flotation the pipes can be covered with riprap which will not project above the bed of the Branch.

In addition to the permanent piles others are to be driven on each side of the pipe line, to support a temporary staging, on which the pipes can be joined together in sections about 100 feet long, and then lowered into place; the sections can then be joined together by divers.

We have been unable to determine the character of the material in the bottom of the channel, and can not therefore say definitely what method of construction would be best for this portion. It is probable that a pipe with flexible joints will be required. The distance across the channel represents only a small part of the total distance across the Branch, and a sufficient provision has been made in the estimates for the extra cost of this portion of the work.

Two lines of 54-inch pipe would have sufficient capacity for this siphon, and they might be used instead of the 48-inch pipe if it should be found that they would cost less.

The length of each line of pipe will be about 2,680 feet, and their total estimated cost is $201,000.

At Poplar Point the siphons will connect, through an entrance chamber, with the outfall sewer.

OUTFALL SEWER.

This sewer, starting from Poplar Point, will take a direct course to the highway crossing of the Alexandria Branch of the Baltimore and Ohio Railroad, immediately north of the insane asylum grounds, where it will pass underneath the railroad track and around the houses to the east of it, so as to enter the asylum grounds on the plateau near the river bank. Through these grounds the sewer has been located near the shore of the river, keeping as much as possible in the plateau, so as to be in cutting. Thence the line skirts the right of way of the Alexandria Branch Railroad, on its eastern side, to a point about 8,170 feet from Poplar Point, where it passes again to the west side of the railroad. From this crossing it continues parallel with the railroad to a point about 13,000 feet from Poplar Point, where, with two deflections, it turns to the proposed sewer outlet at the first projecting point in the river bank north of the naval magazine.

The stream flowing into the Eastern Branch south of Poplar Point, and crossing the proposed line of the sewer, will be diverted so as to have its mouth north of Poplar Point. The other streams encountered will be provided for by culverts, passing under or over the sewer.

For this sewer, 15,483 feet in length, a horseshoe section with curved invert, 9 feet 4 inches wide by 8 feet 4 inches high, is proposed. The estimated cost, including right of way, entrance and outlet chambers and culverts, including diversion of streams where necessary, is $450,877.

OUTLET PIPES.

From the chamber at the terminus of the outfall sewer, two 48-inch cast-iron outlet pipes will be laid to the edge of the channel about 500 feet from shore.

The channel ends of these pipes will be protected by crib-work, weighted with stone and supported on a group of piles, the whole being at such a depth as not to interfere with vessels. The pipes should be supported upon piles from the shore to the crib, if found necessary.

The length of each outlet pipe will be about 550 feet, and the estimated total cost of both, including piling, is $27,500.

APPENDIX B.

ESTIMATES OF COST.

PROJECT NO. I.

ALL SEWAGE PUMPED.

Rock Creek and B Street interceptor.

Location. From—	Location. To—	Diameter of sewer.	Length.	Average depth.	Average cost per linear foot.	Total cost.	Remarks.
		Ft. in.	*Feet.*				
Boundary	M and Twenty-second.	4 4	1,650	46.5	$30,00	$49,500.00	Tunnel.
			298	44.8	29.53	8,800.20	
M and Twenty-second.	M and Twenty-sixth.	4 9	1,687	51.6	33.00	55,671.00	Tunnel.
M and Twenty-sixth.	F and Twenty-seventh.	5 0	1,371	37.7	35.00	47,985.00	Do.
			1,884	19.2	18.76	35,350.40	
F and Twenty-seventh.	Virginia avenue and B.	6 6	5,55	18	26.70	148,211.70	
GEORGETOWN BRANCH.							
Bridge street.							
Twenty-sixth	250 feet west of Twenty-seventh.	2 6	750	17.9	10.17	7,630.00	
			140	.....	6.00	840.00	Iron pipe.
Twenty-seventh street.							
Beall	Bridge	1 3	1,190	19.8	3.95	4,698.00	
G street outlet		4 0	150	12.0	9.26	1,389.00	
Bridge across Rock Creek		.....	.....	.....	.....	5,080.00	Georgetown branch.
Alteration of laterals, and regulators		.....	.....	.....	.....	12,732.50	
			14,670	.....	.....	377,887.80	

East side interceptor.

Twelfth and N	Sixth and M	4 0	3,010	40.6	$20.49	$61,660.80	
Sixth and M	New Jersey avenue and M.	4 2	1,650	29.2	12 85	21,207.00	
Regulators and connections		.....	.....	.....	.....	2,600.00	
			4,660	.....	.....	85,467.80	

Water and M street interceptor.

Location.		Diameter of sewer.	Length.	Average depth.	Average cost per linear foot.	Total cost.	Remarks.
From—	To- -						
Water street.		*Ft. in.*	*Feet.*				
150 feet west of Thirteen-and-a-half.	200 feet west of Twelfth.	1 3	750	9.2	$2.88	$2,157.00	
200 feet west of Twelfth.	Water and Tenth.	1 6	1,100	13.1	4.92	5,411.50	
Water and Tenth.	Water and M	2 0	1,948	15.4	7.68	14,957.00	
Water and M....	James Creek Canal and M.	2 6	2,616	22.6	8.10	21,186.60	
James Creek Canal and M.	M and One-half ...	5 3	432	20.7	20.34	8,787.20	Receive storm water from low district.
M and One-half..	New Jersey avenue and M.	8 6	1,809	36.3	33.11	59,893.80	
South Branch on Water street.							
120 feet South of O.	Water and M.....	1 0	1,500	13.3	3.78	5,675.00	
North branch at One-half and M streets.							
One-half and I...	One-half and K....	7 0	320	13.0	26.01	8,322.00	Receive storm water from low district.
One-half and K..	One-half and M....	7 9	700	18.5	30.65	21,457.00	
Regulators and connections.....	.....	.....	.....	.....	.....	14,326.50	
			11,175	.....	.....	162,173.60	

F street and Easby's Point high-level interceptor.

F and Seventh...	F and Eleventh ...	4 3	1,458	16.3	$13.19	$19,229.40	
F and Eleventh..	Pennsylvania avenue and Fifteenth.	6 6	2,193	25.2	24.72	54,213.80	
Pensylvania avenue and Fifteenth.	D and Seventeenth	9 8	1,833	20.6	25.26	46,295.00	Across White Lot.
D and Seventeenth.	C and Nineteenth.	10 6	1,431	17.4	24.34	34,837.70	
C and Nineteenth.	Water and Twenty-second.	11 3	1,806	17.1	25.15	45,417.80	
Water and Twenty-second.	Potomac River.	10 3 by 11 3	1,814	13.0	40.48	73,434.50	Horse shoe section.
Connections with old sewers.....	.....	.....	.....	.....	.....	1,940.00	
			10,535	.....	.....	275,368.20	

Four-and-a-half street high-level interceptor.

B and Seventh ...	C and Four-and-a-half.	4 2	1,809	15.9	$10.63	$19,237.30	
C and Four-and-a-half.	F and Four-and-a half.	6 4	1,375	17.1	17.95	24,688.80	
F and Four-and-a-half.	Washington Channel.	6 9	3,280	20.4	20.02	65,656.00	
Connections with old sewers.....	.....	.....	.....	.....	.....	2,968.00	
			6,464	.....	.....	112,550.10	

Tiber Creek and New Jersey avenue high level interceptor.

C and First.....	New Jersey avenue and N.	14 0	8,012	29.1	$54.96	$440,342.00	
New Jersey avenue and N.	Eastern Branch ..	(*)	572	16.3	62.13	35,540.50	
Outlet chamber, gates, etc.....	.....	.....	.....	.....	.....	6,290.00	
Connections with old sewers.....	.....	.....	.....	.....	.....	1,339.00	
			8,584	.....	.....	483,511.50	

* Twin sewers and tide-gate chamber.

B street and New Jersey avenue trunk sewer.

Location.		Diameter of sewer.	Length.	Average depth.	Average cost per linear foot.	Total cost.	Remarks.
From—	To—						
		Ft. In.	*Feet.*				
B and Virginia avenue.	B and Fifteenth ..	7 0	2,043	16.6	$26.82	$54,793.70	
B and Fifteenth	B and Twelfth....	8 9	1,582	16.5	33.67	53,264.80	
B and Twelfth ...	B and Ninth.....	10 0	1,171	16.7	37.39	43,785.60	
B and Ninth	South Capitol and E.	11 3	5,955	20.6	46.68	277,961.00	
South Capitol and E.	Garfield Park	14 6	510	30.8	51.75	26,392.00	
Garfield Park	New Jersey avenue and N.	15 0	3,170	35.9	62.30	197,482.50	
New Jersey avenue and N.	Eastern Branch ..	(*)	630	.....	75.79	47,750.00	
Branch at Garfield Park		5 3	650	21.7	13.06	8,489.50	
Connections with old sewers		.....	.....	.....	.....	4,431.00	
Sewer channels in old Tiber sewer ...		.....	.....	.....	.....	4,751.20	
		.....	15,711	.....	.....	719,101.30	

* Twin sewers and tide-gate chamber.

Outlet to old B street sewer.

B and Seventeenth.	Tidal basin	5 3 by 7 6	1,000	14.0	$30.72	$30,716.00	

Pumping station.

Excavations and foundations	$149,481.00
Buildings and chimney	91,300.00
Engines and pumps	330,000.00
Gates, screens, sand hoist, and minor machinery	34,963.00
River wall	21,506.00
Total	627,250.00

Outfall sewer, inverted siphons, and outlet.

Location.		Diameter of sewer.	Length	Average depth.	Average. cost per linear foot.	Total cost.	Remarks.
From—	To—						
		Ft. In.	*Feet.*				
Pumping station .	Poplar Point	4 0	*2,680	.....	$75.00	$201,000.00	Siphon.
Poplar Point	Potomac River ...	8 4 by 9 4	15,483	14.8	26.89	416,406.90	Horse-shoe section.
Potomac River.							
Shore to Channel		4 0	†550	.....	50.00	27,500.00	
Inlet and outlet chambers		.....	.....	.....	.....	11,000.00	
Culverts, land damages, and cribwork at outlet		.....	.....	.....	.....	23,470.00	
			18,713	.....	.....	679,376.90	

* Three lines of pipe each of this length.

† Two lines of pipe each of this length.

Dikes.

Virginia avenue and Monument Grounds	$14,100.00
N street (southwest)	30,500.00
	44,600.00

SUMMARY.

Rock Creek and B street interceptor	$377,687.80
East side interceptor	85,467.80
Water and M street interceptor	162,173.60
F street and Easby's Point high-level interceptor	275,368.20
Four and-a-half street high-level interceptor	112,550.10
Tiber Creek and New Jersey avenue high-level interceptor	483,511.50
B street and New Jersey avenue trunk sewer	719,101.30
Outlet to old B street sewer	30,716.00
Pumping station	627,250.00
Outfall sewer, inverted siphon and outlet	679,376.90
Dikes	44,600.00
Total	3,598,003.20

PROJECT NO II,

ALL SEWAGE PUMPED.

Outlet opposite Gravelly Point.

Outfall sewer and outlet pipes	$325,276.00
Sewer south of Eastern Branch	100,000.00
Balance as in Project No. 1	2,918,626.00
Total	3,343,902.00

PROJECT NO. III.

Sewage partly pumped and partly discharged by gravity.

Rock Creek and Twenty-seventh street interceptor	$227,855.00
F street and Easby's Point interceptor	288,868.20
Tiber Creek and South Capitol street sewage interceptor	233,022.60
East side interceptor	67,623.80
Tiber Creek and New Jersey avenue high-level interceptor	483,511.50
Four-and-a-half street interceptor	112,550.10
Water and M street interceptor	162,173.60
B street and New Jersey avenue trunk sewer	731,095.60
Adjunct to New Jersey avenue trunk sewer for sewage interception	40,732.56
Outlet to old B street sewer	30,716.00
Pumping station*	627,250 00
N street outfall sewer and outlet pipes	243,825.80
Dikes	44,600.00
Sewer south of Eastern Branch	100,000.00
Total	3,393,824.70

PROJECT NO. IV.

Sewage partly pumped and partly discharged by gravity.

Rock Creek and Twenty-seventh street interceptor	$227,855.00
F street and Easby's Point interceptor	502,329.00
East side interceptor	67,623.80
Tiber Creek and New Jersey avenue high-level interceptor	483,511.50
Four-and-a-half street high-level interceptor	112,550.10
Water and M street interceptor	162,173.60
B street and New Jersey avenue trunk sewer	731,095.60
Adjunct to New Jersey avenue trunk sewer for sewage interception	40,732.50
Outlet to old B street sewer	30,716.00
Pumping station*	627,250.00
N street outfall sewer and outlet pipes	165,239.50
Dikes	44,600.00
Sewer south of Eastern Branch	100,000.00
Total	3,295,676.60

PROJECT NO. V.

Sewage partly pumped and partly discharged by gravity, the outfall for the entire amount being opposite Gravelly Point. Total cost, $3,873,671.

*This estimate includes not only the pumping station at the foot of New Jersey avenue, but also the cost of works for removing sand, gravel, and coarse substances from the sewers above the entrance to the outlet pipes which cross the Washington channel.

APPENDIX C

TABLES SHOWING MAXIMUM RAIN-FALLS AS RECORDED BY AUTOMATIC GAUGES AT BOSTON, PROVIDENCE, NEW YORK, PHILADELPHIA, AND WASHINGTON.

*Maximum rain-fall in Boston, Mass., from June 29, 1879, to September 18, 1888.**

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1879.	*H.* *M.*	*Inches.*	*Inches.*	1885.	*H.* *M.*	*Inches.*	*Inches.*
June 29	0 37	1.04	1.69	June 29	1 14	0.99	0.80
July 16	0 13	0.61	2.82	June 29	1 07	1.01	0.90
Aug. 18	2 03	1.72	0.84	Aug. 1	1 09	1.27	1.10
1880.				1886.			
July 20	0 41	1.43	2.09	Aug. 13	0 42	1.03	1.47
July 20	0 12	0.86	4.30	1888.			
July 20	0 29	0.56	1.16	Aug. 21	3 00	3.00	1.00
Sept. 2	0 27	0.68	1.51	Aug. 21	1 00	0.64	0.64
1882.				Aug. 21	1 00	0.88	0.88
Sept. 14	0 43	1.05	1.47	Aug. 21	1 00	1.48	1.48
1884.				Sept. 10	1 09	0.79	0.69
June 19	1 06	1.42	1.29	Sept. 18	1 19	1.10	0.84
July 18†	0 05	0.70	8.40				

* Transactions of American Society of Civil Engineers, Vol. XXI, August, 1889, D. Fitz Gerald.
† Not in diagram.

*Maximum rain-fall in Providence, R. I., from 1879 to 1888.**

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1878.	*H.* *M.*	*Inches.*	*Inches.*	1882.	*H.* *M.*	*Inches.*	*Inches.*
Aug. 6	0 36	3.50	5.83	Sept. 20 and 26	0 10	0.34	2.04
1879.				1883.			
Aug. 16 to 19	1 10	0.63	0.54	July 28 and 29	0 09	0.31	2.07
1880.				1884.			
Apr. 3 to 4	0 40	0.56	0.84	June 19	0 14	0.35	1.50
July 16	0 38	0.65	1.03	June 25 and 26	0 08	0.42	3.15
July 16	0 16	0.42	1.58	Sept. 25	0 22	0.45	1.23
1881.				1885.			
June 28	0 36	0.50	0.83	July 8	0 52	0.89	1.03
July 4	0 07	0.30	2.57	Aug. 3 and 4	0 04	0.29	4.35
July 26	0 12	0.38	1.90	1886.			
July 26	0 07	0.33	2.83	Aug. 14	0 05	0.27	3.24
July 26	0 12	0.50	2.50	1887.			
Sept. 2 to 3	0 32	0.50	0.94	July 17	1 04	1.27	1.19
1882.				Aug. 23 and 25	0 20	0.43	1.29
June 4	0 15	0 48	1.92	Aug. 23 and 25	0 18	0.50	1.67
July 1	0 32	0.49	0.92	1888.			
Aug. 8 and 9	0 08	0.35	2.63	Aug. 13	0 28	0.72	1.54
Aug. 24	0 18	0.45	1.50	Aug. 13	0 16	1.00	3 75
Sept. 9	0 12	0.35	1.75	Aug. 21 and 22	1 40	1.37	0.82
Sept. 20 and 26	0 30	0.61	1.22				

* City engineer's department.

*Maximum rain-fall in New York, N. Y., from June, 1871, to July, 1889.**

Date.	Duration.	Amount.	Rate per hour.	Date.	Duratio	Amount.	Rate per hour.
1871.	*H. M.*	*Inches.*	*Inches.*	1882.	*H. M.*	*Inches.*	*Inches.*
June 7	0 10	0.50	3.00	Sept. 22	0 10	0.50	3.00
June 7	0 30	1.00	2.00	Sept. 22	0 30	1.19	2.38
July 16	0 10	0.50	3.00	Sept. 23	0 10	0.65	3.90
July 16	0 30	1.00	2.00	Sept. 23	0 30	1.25	2.50
Oct. 27	0 10	0.50	3.00	1883.			
Oct. 27	0 30	1.20	2.40	May 21	0 10	0.58	3.48
1873.				May 21	0 30	1.00	2.00
July 5	0 10	0.50	3.00	July 13	0 10	0.73	4.38
July 27	0 10	0.53	3.18	July 13	1 00	1.73	1.73
1874.				1884.			
July 12	0 10	0.50	3.00	Aug. 5	0 10	0.55	3.30
1875.				Aug. 22	0 10	0.89	5.34
July 26	0 10	1.00	6.00	Aug. 22	0 30	1.36	2.72
July 26	0 20	1.29	3.87	Aug. 30	0 10	0.56	3.36
Aug. 18	0 10	0.50	3.00	Aug. 30	0 20	0.90	2.72
Aug. 18	0 30	1.00	2.00	1885.			
1876.				Aug. 3	0 10	0.70	4.20
Aug. 17	0 10	0.50	3.00	1887.			
Aug. 17	0 20	1.00	3.00	June 22	0 10	0.55	3.30
1877.				June 1	0 10	0.55	3.30
July 17	0 10	0.70	4.20	June 1	0 45	1.20	1.60
July 17	2 10	2.50	1.15	1888.			
Oct. 4	2 10	2.50	1.15	June 26	0 10	0.50	3.00
1878.				June 26	0 35	0.90	2.16
Aug. 6	0 10	1.00	6.00	Aug. 4	0 10	0.50	3.00
Aug. 6	0 25	2.60	6.24	Aug. 4	0 30	1.00	2.00
1880.				Aug. 21	0 10	0.45	2.70
July 13	0 10	0.85	5.10	Aug. 21	3 45	3.00	0.80
July 27	0 10	0.50	3.00	Sept. 20	0 10	0.65	3.90
1881.				Sept. 20	0 30	1.00	2.00
May 22	0 10	1.00	6.00	1889.			
				July 31	0 10	0.50	3.00

* Meteorological observatory, Central Park.

*Maximum rain-fall in Philadelphia, Pa., and vicinity, from June, 1884, to August, 1889.**

Philadelphia, corner of Thirteenth and Spring Garden streets.

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1884.	*H. M.*	*Inches.*	*Inches.*	1887.	*H. M.*	*Inches.*	*Inches.*
July 6	1 00	1.50	1.50	July 24	2 14	1.46	0.65
July 6	0 12	0.50	2.52	July 24	0 05	0.25	3.00
Nov. 23	0 10	0.40	2.40	July 26	0 33	1.16	2.09
1885.				July 26	0 07	0.61	5.28
July 7	0 29	0.90	1.86	Aug. 22	1 06	1.00	0.93
July 7	0 09	0.40	2.60	Aug. 22	0 04	0.17	2.58
Aug. 3	1 25	2.80	1.99	1888.			
Aug. 3	0 08	0.50	3.72	Aug. 3	0 12	0.80	4.00
1886.				Aug. 8	0 15	0.90	3.60
May 27	0 02	0.15	4.62	Aug. 23	1 06	1.00	0.93
May 27	0 02	0.14	4.44	Aug. 23	0 10	0.34	2.04
May 27	0 09	0.52	3.48	Sept. 16 and 17	0 16	0.55	2.10
1887.				1889.			
Feb. 18	0 11	0.51	2.76	May 20	0 20	1.00	3.00
June 22 and 23	0 05	0.24	2.94	Aug. 14	0 20	1.00	3.00
July 22	0 44	1.86	2.52	Aug. 31	0 36	1.03	1.95
July 22	0 13	0.92	4.26				

Doylestown and Forks of Neshaminy, Bucks County, Pa.

1884.				1885.			
June 26	0 14	0.50	2.16	Feb. 16	0 05	0.20	2.40
July 31	0 10	0.50	3.00	Aug. 3	1 43	4.40	2.56
Aug. 5	0 20	1.30	3.90	Aug. 3	0 20	1.50	4.50
Nov. 23	0 13	0.46	2.16				

* Philadelphia water department.

Maximum rain-fall in Philadelphia, Pa., and vicinity, etc.—Continued

Forks of Neshaminy, Bucks County, Pa.

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1886.	*H.* *M.*	*Inches.*	*Inches.*	1888.	*H.* *M.*	*Inches.*	*Inches.*
July 10	0 36	0.60	1.02	Sept. 9	0 30	1.00	2.00
1887.				Sept. 9	0 08	0.38	2.82
May 8	0 10	0.38	2.28	Sept. 17	0 36	1.09	1.81
June 22	1 34	0.92	0.58	Sept. 17	0 12	0.50	2.52
June 22	0 10	0.47	2.82	Sept. 21	0 24	0.51	1.27
July 23 and 24	0 19	0.75	2.24	Sept. 21	0 08	0.40	3.00
July 29	0 42	1.16	1.65	1889.			
July 29	0 04	0.24	3.66	Jan. 16	3 10	0.72	0.23
1888.				Aug. 3	0 45	1.52	1.90
June 23	0 45	1.50	2.00	May 20	0 20	0.45	1.35

Frederick, Montgomery County, Pa.

1884.				1887.			
Dec. 6	0 12	0.40	1.97	July 30	0 12	0.76	3.84
1885.				Aug. 23 and 24	0 11	0.49	2.65
Aug. 3	4 08	3.27	0.79	Aug. 23 and 24	0 06	0.46	4.62
Aug. 3	0 24	1.00	2.52	1888.			
1886.				Aug. 9	4 10	2.00	0.48
July 10	2 04	1.49	0.75	Sept. 27	0 08	0.44	3.30
July 10	0 07	0.30	2.58	1889.			
1887.				June 15	0 16	0.90	3.39
Jan. 13 and 14	4 26	1.13	0.25	July 11	0 12	0.50	2.50
Jan. 13 and 14	0 12	0.43	2.16	July 14 and 15	0 28	1.44	3.09
June 22 and 23	0 05	0.36	4.38	Aug. 15	0 30	1.12	2.24
July 5	0 04	0.22	3.24	June 17	0 12	0.39	1.97
July 30	0 16	0.79	2.96				

*Maximum rain-fall in Washington, D. C., from January, 1875, to December, 1889, with a few observations prior to 1875.**

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1865.	*H.* *M.*	*Inches.*	*Inches.*	1876.	*H.* *M.*	*Inches.*	*Inches.*
July 29	3 15	4.92	1.51	Sept. 17	1 23	1.10	0.80
1868.				Oct. 23	1 47	1.89	1.06
July 24	2 30	2.30	0.92	Oct. 23	1 00	1.40	1.40
1871.				1877.			
June 24	0 45	1.20	1.60	Apr. 19	0 48	0.90	1.13
July 3	1 50	1.60	0.87	June 21	1 26	1.64	1.14
July 3	0 30	1.13	2.26	June 21	0 50	1.08	1.30
July 18	0 20	0.83	2.49	July 3	0 09	0.44	2.93
1872.				July 10	0 09	0.57	3.80
Sept. 25	0 30	1.18	2.36	July 28	0 36	1.12	1.87
Sept. 25	1 48	2.07	1.15	July 28	0 14	0.78	3.34
1873.				July 29	1 18	2.33	1.78
July 27	2 30	2.00	0.80	July 29	0 28	1.44	3.09
July 27	0 45	1.00	1.33	Aug. 13	0 36	0.77	1.28
Aug. 1	0 30	0.65	1.30	Oct. 4	3 00	2.49	0.83
Aug. 11	0 30	1.00	2.00	Oct. 4	2 00	2.05	1.03
Sept. 13	0 30	0.80	1.60	Oct. 4	0 26	1.08	2.49
1874.				1878.			
Aug. 29	1 00	1.30	1.30	Apr. 28	0 15	0.82	3.28
1875.				July 12	0 18	0.43	1.43
Aug. 1	3 24	2.13	0.62	July 19	0 33	0.80	1.45
Aug. 1	0 07	0.30	2.57	July 29	0 26	0.95	2.19
Aug. 18	0 24	0.78	1.95	July 30	0 32	1.10	2.06
Aug. 29	3 25	2.30	0.67	Aug. 1	0 09	0.32	2.13
Aug. 29	1 00	1.30	1.30	Aug. 5	0 46	2.08	2.71
1876.				Aug. 6	0 21	1.00	2.86
June 10	0 40	1.98	2.97	Aug. 10	1 54	1.49	0.79
July 30	0 35	0.45	0.77	Aug. 10	0 13	0.80	3.69
Aug. 14	0 50	0.75	0.90	Aug. 31	0 28	0.60	1.29
Aug. 20	0 08	0.43	3.22	Sept. 11	0 21	0.66	1.89

*Signal Service and Smithsonian Institution records.

Maximum rain-fall in Washington, D. C., etc.—Continued.

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1879.	*H. M.*	*Inches.*	*Inches.*	1885.	*H. M.*	*Inches.*	*Inches.*
Oct. 26	1 15	1.73	1.38	June 27	0 10	0.35	2.10
1880.				Aug. 23	0 26	0.67	1.55
May 11	0 50	1.00	1.20	Aug. 25	0 10	0.50	3.00
Aug. 25	0 09	0.41	2.73	Oct. 29	0 50	0.80	0.96
1881.				1886.			
June 7	0 12	0.60	3.00	June 22	0 31	0.54	1.05
June 7	0 36	1.61	2.68	June 24	1 42	1.41	0.83
Sept. 11	0 30	0.87	1.74	July 15	0 15	0.72	2.88
1882.				July 21	0 14	0.46	1.97
Mar. 28	0 05	0.43	5.16	July 26	2 27	3.14	1.28
May 27	0 15	0.70	2.80	July 26	1 35	2.23	1.41
Sept. 3	0 18	1.03	3.43	July 26	0 10	0.70	4.20
Sept. 20	0 30	0.90	1.80	July 26	0 02	0.41	12.30
1883.				1887.			
May 14	0 06	0.40	4.00	Aug. 11	0 18	0.71	2.37
June 3	0 18	0.44	1.47	Sept. 12	0 11	0.62	3.38
June 3	0 12	0.46	2.30	1888.			
June 10	0 27	0.75	1.66	June 14	0 11	0.38	2.07
June 13	0 15	0.66	2.64	June 23	0 13	0.50	2.31
June 21	0 21	0.60	1.71	July 9	0 21	0.99	2.83
July 17	0 18	0.79	2.63	Aug. 21	0 15	0.59	2.36
July 24	0 25	0.71	1.70	Sept. 16	0 20	1.19	3.57
Aug. 23	0 33	0.95	1.73	1889.			
1884.				May 31	0 05	0.20	2.40
Jan 8	0 04	0.46	6.90	July 1	0 15	0.65	2.60
June 13	0 37	0.93	1.54	July 1	0 05	0.30	3.60
July 1	2 03	1.95	0.95	July 15	0 08	0.40	3.00
July 1	0 10	0.56	3.36	July 30	0 29	0.65	1.34
July 11	0 21	0.58	1.68	Aug. 6	0 10	0.55	3.30
Nov. 23	0 45	0.94	1.25	Aug. 9	0 10	0.50	3.00

Selection of heaviest rain-falls from preceding tables.

Boston, Mass.

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1880.	*H. M.*	*Inches.*	*Inches.*	1888.	*H. M.*	*Inches.*	*Inches.*
July 20	0 41	1.43	2.09	Aug. 21	1 00	1.48	1.48
July 20	0 12	0.86	4.30	Aug. 21	3 00	3.00	1.00
1884.							
June 19	1 06	1.42	1.29				

Providence, R. I.

1878.				1888.			
Aug. 6	0 36	3.50	5.83	Aug. 13	0 16	1.00	3.75

New York, N. Y.

1875.				1883.			
July 26	0 10	1.00	6.00	July 13	0 10	0.73	4.38
July 26	0 20	1.29	3.87	1884.			
1877.				Aug. 22	0 10	0.89	5.34
July 17	2 10	2.50	1.15	Aug. 22	0 30	1.36	2.72
1878.				1888.			
Aug. 6	0 25	2.60	6.24	Aug. 21	3 45	3.00	0.80
1880.							
July 13	0 10	0.85	5.10				

Selection of heaviest rain-falls from preceding tables—Continued.

Philadelphia and vicinity.

Date.	Duration.	Amount.	Rate per hour.	Date.	Duration.	Amount.	Rate per hour.
1884.	*H.* *M.*	*Inches.*	*Inches.*	1887.	*H.* *M.*	*Inches.*	*Inches.*
July 6	1 00	1.50	1.50	July 26	0 07	0.61	5.28
Aug. 5	0 20	1.30	3.90	1888.			
1885.				June 23	0 45	1.50	2.00
Aug. 3	1 25	2.80	1.99	Aug. 3	0 12	0.80	4.00
Aug. 3	1 43	4.40	2.56	Aug. 9	4 10	2.00	0.48
Aug. 3	4 08	3.27	0.79	1889.			
Aug. 3	0 20	1.50	4.50	July 14 and 15	0 28	1.44	3.09
1887.							
July 22	0 44	1.86	2.52				

Washington, D. C.

1865.				1879.			
July 29	3 15	4.92	1.51	Oct. 26	1 15	1.73	1.38
1872.				1881.			
Sept. 25	1 48	2.07	1.15	June 7	0 36	1.61	2.68
1873.				1882.			
July 27	2 30	2.00	0.80	Mar. 28	0 05	0.43	5.16
1876.				1884.			
June 10	0 40	1.98	2.97	Jan. 8	0 04	0.46	6.90
Oct. 23	1 47	1.89	1.06	July 1	2 03	1.95	0.95
1877.				1886.			
June 21	1 26	1.64	1.14	July 26	2 27	3.14	1.28
July 29	1 18	2.33	1.78	1888.			
Oct. 4	3 00	2.49	0.83	Sept. 16	0 20	1.19	3.57
1878.							
Aug. 5	0 46	2.08	2.71				

APPENDIX D.

ANALYSES OF RIVER WATER, MADE BY CLIFFORD RICHARDSON, CHEMIST, DISTRICT OF COLUMBIA.

Analyses of samples of water taken from the Potomac River, south of Long Bridge, between buoys 4 and 6.

[Parts per million.]

	Ser. No. 2758.	Ser. No. 2778.	Ser. No. 2862.
	Collected Dec. 1, 1889, 1 h. 18 m. before high tide.	Collected Dec. 9, 1889, 4 h. 34 m. after high tide.	Collected Dec. 30, 1889, 1 h. 25m. before high tide.
Condition	Turbid	Sl. turb	Clear.
Color	0.0	0.3	0.0
Total residue on evaporation	126.	132.	144.
Organic and volatile	60.	42.	76.
Non-volatile	66.	90.	68.
Free ammonia	0.008	0.008	0.048
Nitrogen as free ammonia	0.007	0.007	0.039
Albuminoid ammonia	0.140	0.112	0.180
Nitrogen as albuminoid ammonia	0.115	0.092	0.148
Oxygen consumed	1.46	0.90	1 28
Nitrogen as nitrites	0.000	Trace.	Trace.
Nitrogen as nitrates	0.5	0.8	0.8
Chlorine	4.5	4.5	4.5

Analyses of samples of water taken from the Eastern Branch, opposite a point between First and Second streets (east) shortly before high water.

[Parts per million.]

	Ser. No. 2759.	Ser. No. 2779.	Ser. No. 2860.
	Collected Dec. 1, 1889, 43 m. before high water.	Collected Dec. 10, 1889, 1 h. 7 m. before high water.	Collected Dec. 30, 1889, 55 m. before high water.
Condition	Turbid	Clear	Sl. turb.
Color	0.0	0.5	0.0
Total residue on evaporation	144.	126.	144.
Organic and volatile	68.	38.	60.
Non-volatile	76.	88.	84.
Free ammonia	0.220	0.180	0.300
Nitrogen as free ammonia	0.181	0.147	0.247
Albuminoid ammonia	0.208	0.152	0.204
Nitrogen as albuminoid ammonia	0.171	0.125	0.168
Oxygen consumed	3.38	1.06	1.26
Nitrogen as nitrites	Trace.	Trace.	Trace.
Nitrogen as nitrates	.5	.6	.5
Chlorine	4.5	4.5	4.5

Analyses of samples of water taken from the Eastern Branch, opposite Buzzard's Point, shortly before low water.

[Parts per million.]

	Ser. No. 2757.	Ser. No. 2777.	Ser. No. 2866.
	Collected Dec. 2, 1889, 33 m. before low water.	Collected Dec. 9, 1889, 31 m. before low water.	Collected Dec. 31, 1889 16 m. before low water.
Condition	Turbid	Sl. turb	Sl. turb.
Color	0.0	0.5	0.0
Total residue on evaporation	128.	114.	132.
Organic and volatile	58.	44.	53.
Non volatile	70.	70.	79.
Free ammonia	0.500	0.660	0.420
Nitrogen as free ammonia	0.412	0.544	0.346
Albuminoid ammonia	0.360	0.232	0.152
Nitrogen as albuminoid ammonia	0.296	0.211	0.125
Oxygen consumed	1.92	1.44	1.30
Nitrogen as nitrites	Trace	0.015	0.008
Nitrogen as nitrates	0.5	0.8	0.6
Chlorine	4.5	4.5	4.5

1

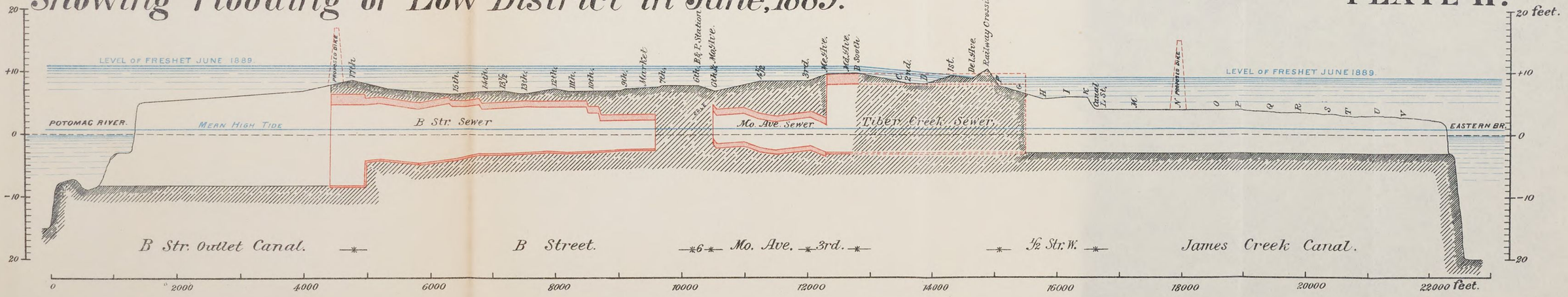
Profile from Potomac River to Eastern Branch,

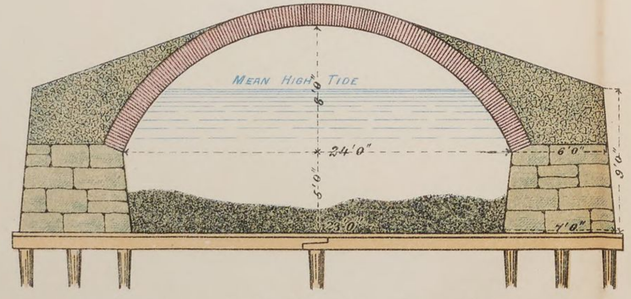
via B Str. & Missouri Avenue;

Showing flooding of Low District in June, 1889.

Report of Board of Sanitary Engineers
Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.

PLATE II.





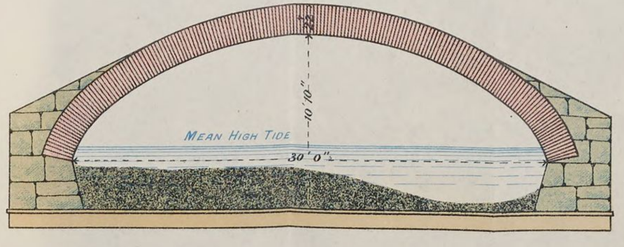
Section of Mouth of B St. Sewer.



Section of B St. Sewer between 10th. & 11th. Sts.



Section, Mo. Ave. Sewer.



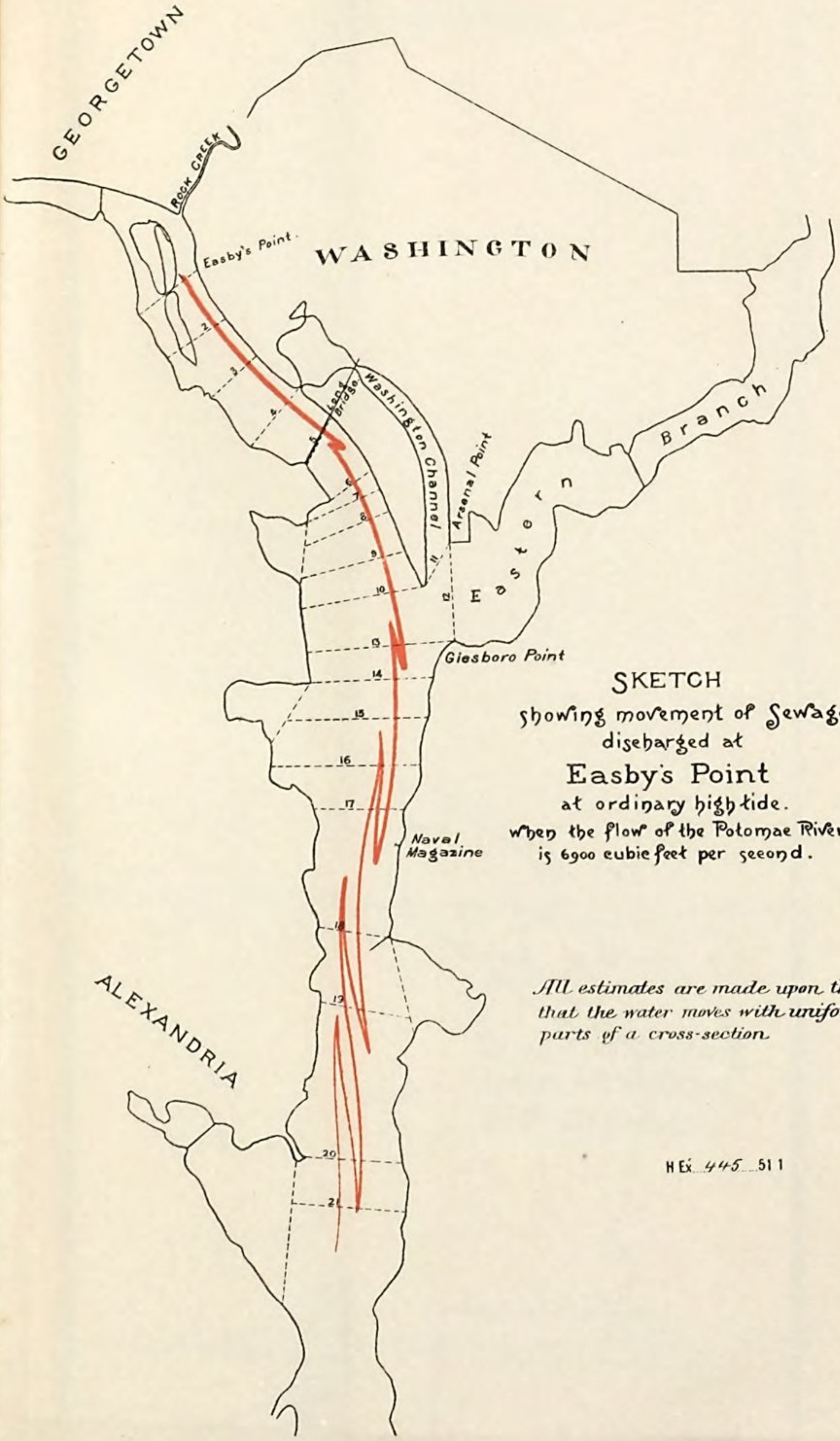
Section, Tiber Creek Sewer.

PHOTO. LITH. BY A. HOEN & CO. BALTIMORE, MD.

PLATE IV.

Report of Board of Sanitary Engineers

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.



SKETCH
showing movement of Sewage.
discharged at
Easby's Point
at ordinary high tide.
when the flow of the Potomac River.
is 6900 cubic feet per second.

All estimates are made upon the assumption that the water moves with uniform velocity in all parts of a cross-section.

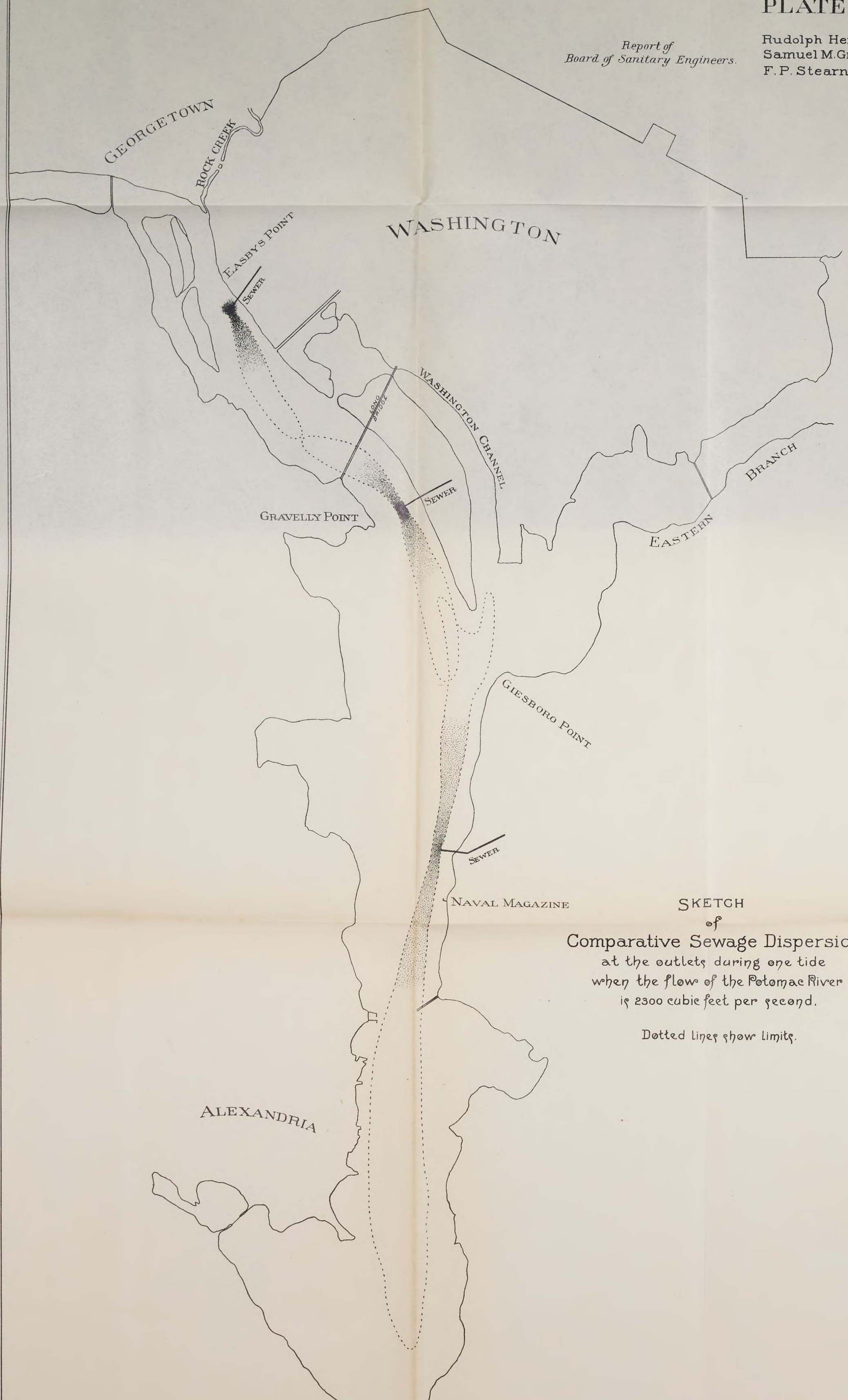
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ALEXANDRIA
MARRINGTON
BLOCH
MONTGOMERY

PLATE V.

Report of
Board of Sanitary Engineers.

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.



SKETCH
of
Comparative Sewage Dispersion
at the outlets during one tide
when the flow of the Potomac River
is 2300 cubic feet per second.

Dotted lines show limits.

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PHOTO. LITH. BY A. HOEN & CO., BALTIMORE, MD.

ALEXANDRIA

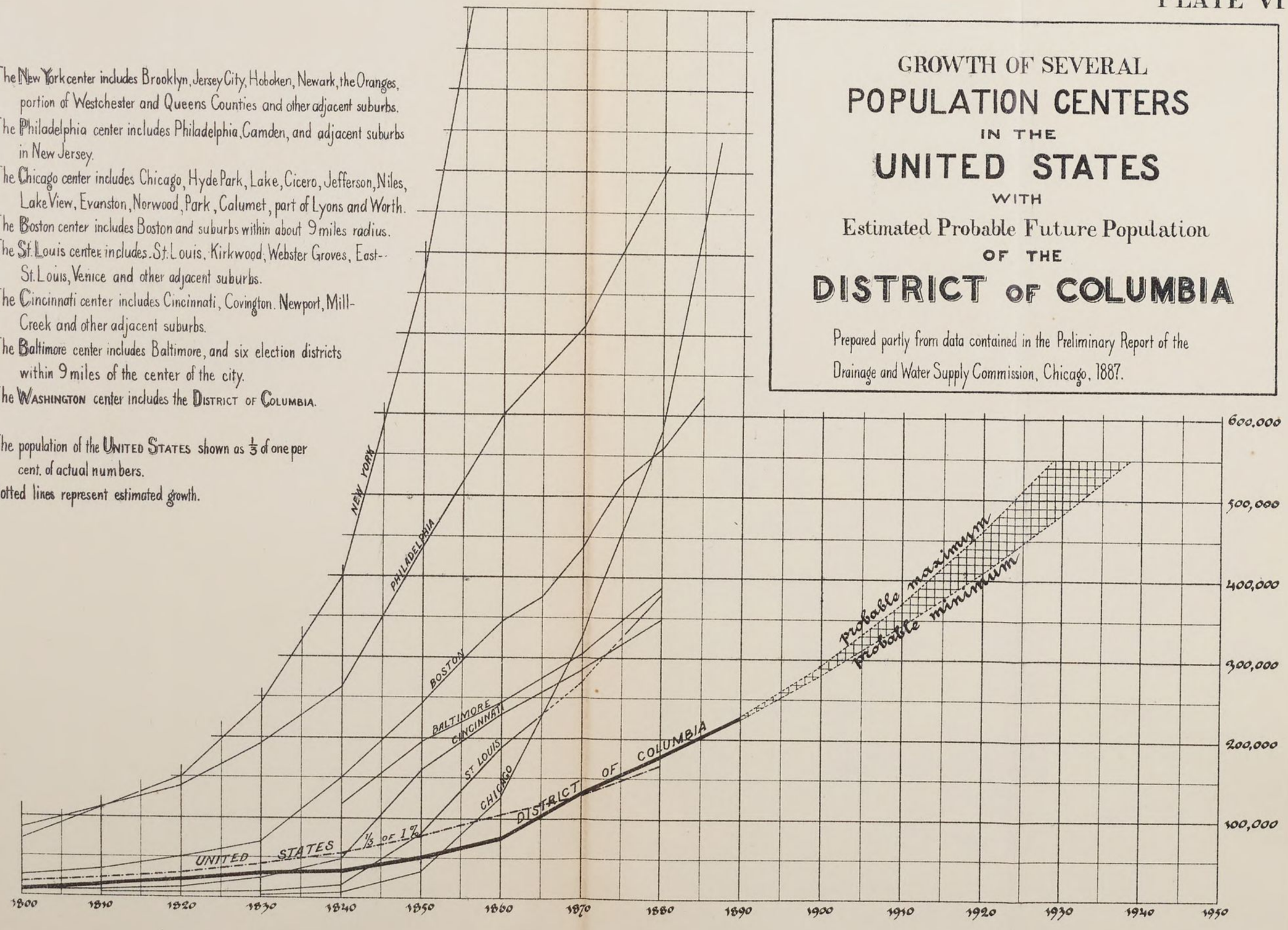
PLATE VI

The New York center includes Brooklyn, Jersey City, Hoboken, Newark, the Oranges, portion of Westchester and Queens Counties and other adjacent suburbs.
The Philadelphia center includes Philadelphia, Camden, and adjacent suburbs in New Jersey.
The Chicago center includes Chicago, Hyde Park, Lake, Cicero, Jefferson, Niles, Lake View, Evanston, Norwood, Park, Calumet, part of Lyons and Worth.
The Boston center includes Boston and suburbs within about 9 miles radius.
The St. Louis center includes St. Louis, Kirkwood, Webster Groves, East St. Louis, Venice and other adjacent suburbs.
The Cincinnati center includes Cincinnati, Covington, Newport, Mill-Creek and other adjacent suburbs.
The Baltimore center includes Baltimore, and six election districts within 9 miles of the center of the city.
The Washington center includes the District of Columbia.

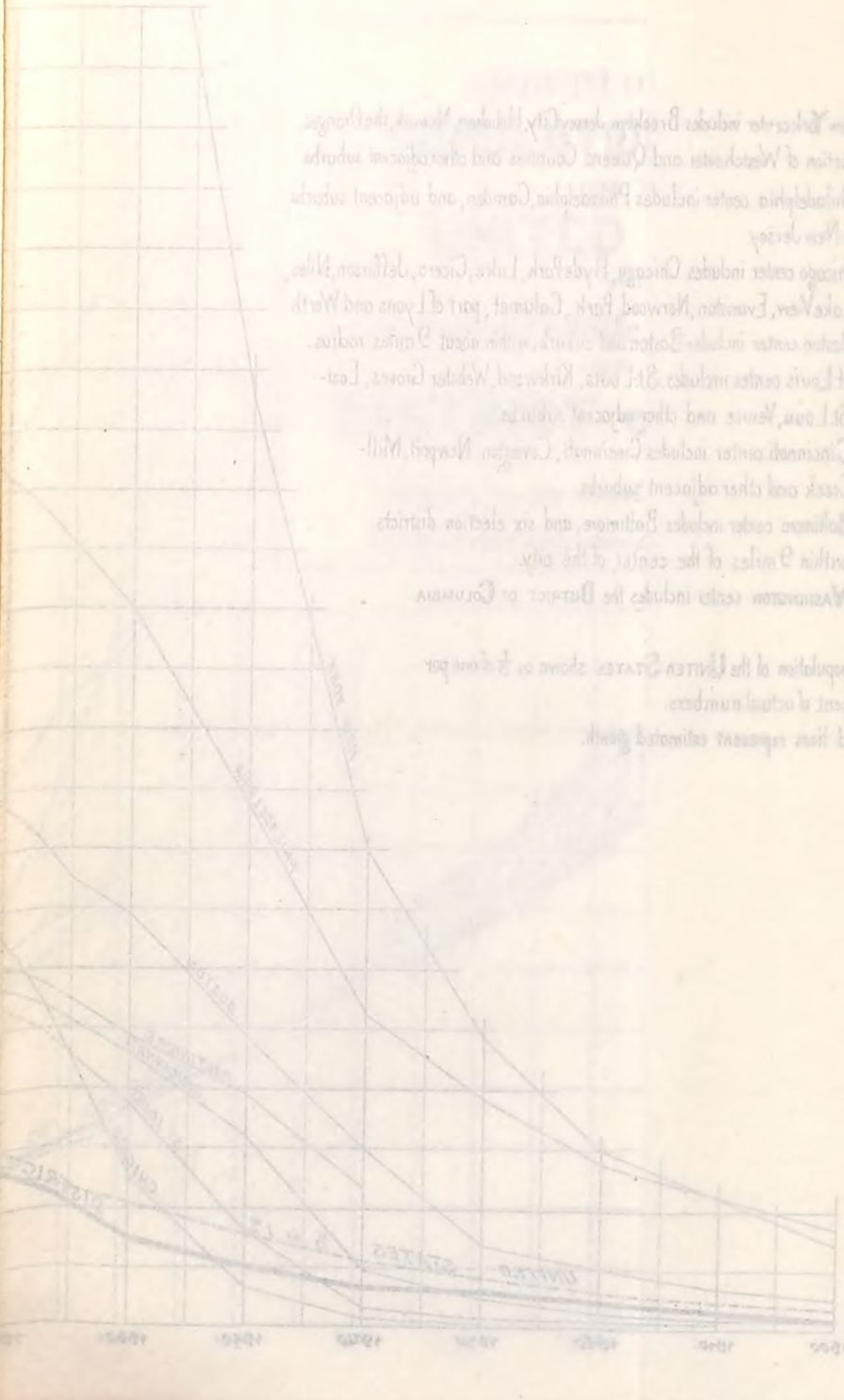
The population of the United States shown as $\frac{1}{3}$ of one per cent. of actual numbers.
Dotted lines represent estimated growth.

GROWTH OF SEVERAL
POPULATION CENTERS
IN THE
UNITED STATES
WITH
Estimated Probable Future Population
OF THE
DISTRICT OF COLUMBIA

Prepared partly from data contained in the Preliminary Report of the Drainage and Water Supply Commission, Chicago, 1887.



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* RAINFALL FOR 2 MINUTES AT THE RATE OF 12.50 PER HOUR.

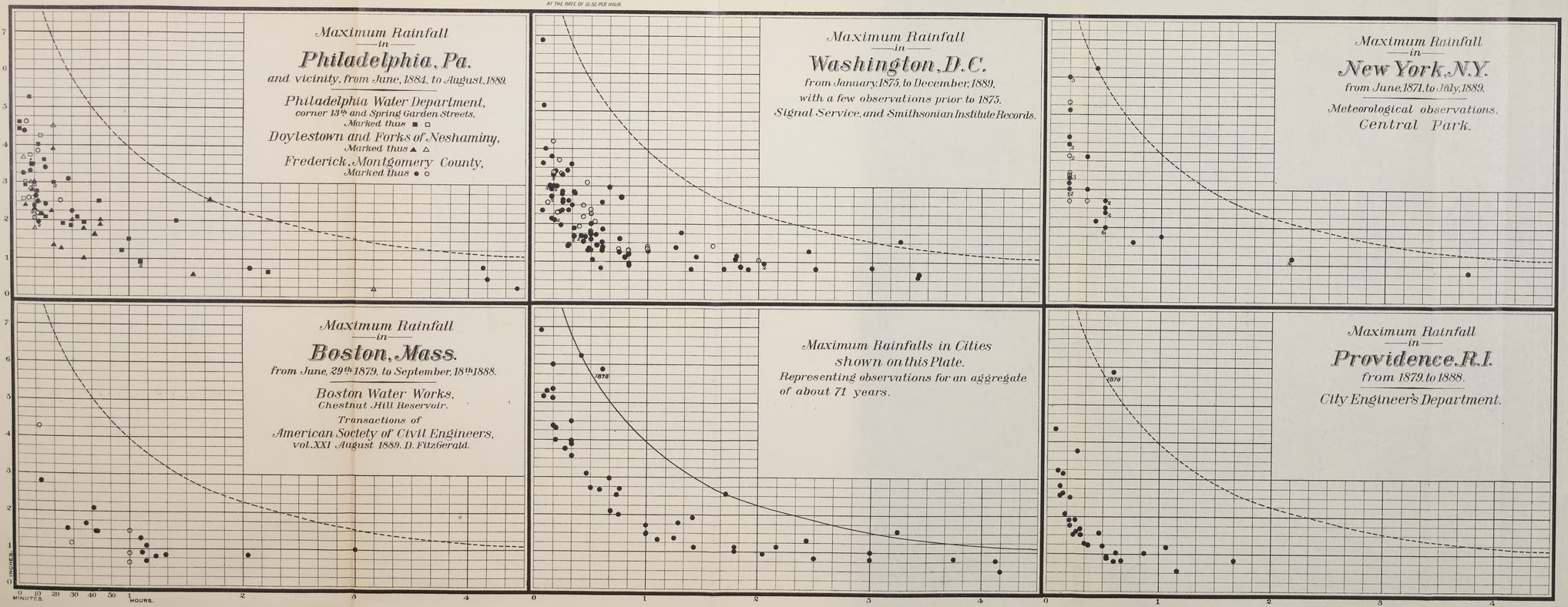


PLATE VII.

Report of
Board of Sanitary Engineers.

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.

Maximum Rainfall
in
Several American Cities,
as recorded by
Automatic Rain Gauges.

Note.

Open characters indicate parts of storms, shown also in solid black characters.

The curves shown on diagrams are identical in form, and are added simply to facilitate comparison.

Figures indicate number of times the same rate was observed.

H Ex. 445—51 1

—*Report of*—
Board of Sanitary Engineers,

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.

PLATE VIII

CURVE

SHOWING · AMOUNT · OF

RAIN-WATER

ASSUMED TO REACH

SEWERS

FOR · THE · CONDITIONS · PREVAILING · IN

WASHINGTON

Maximum Flow from Drainage Area in cubic feet per second.

1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
0

100 200 300 400 500 600 700 800 900 1000 1100 1200

Area Drained in Acres.

H Ex. 445 51 1

Map of Proposed
MAIN SEWERAGE and DRAINAGE WORKS
for the
Improvement of the Sanitary Condition
of the
District of Columbia.

Project No. I.
All Sewage Pumped.
Recommended.

Report of Board of Sanitary Engineers { Rudolph Hering. Samuel M. Gray. F. P. Stearns.

Soldiers Home Ground.

Rosslyn

Arlington National Cemetery

Tidal Reservoir

Alexander's Island

Gravelly Pt.

Hunters Pt.

Four Mile Run

Giesboro Pt.

Poplar Pt.

Buzzard's Point

ARSENAL GROUNDS

EXECUTIVE GROUNDS

CAPITOL GROUNDS

RESERVOIR

GLENWOOD CEMETERY

PROSPECT HILL CEMETERY

MT. OLIVET CEMETERY

INSANE ASYLUM

BROOKLAND

MONTELLO

TWINING CITY

UNIONTOWN

Anacostia

Eastern Branch

Potomac River

Washington Channel

Anacostia Canal

Tiber Creek

Rock Creek

Georgetown Branch

Alexandria & Washington R. R.

Washington & Alexandria Branch Baltimore & Ohio Railway

Baltimore & Potomac R. R.

Bladensburg Turnpike

Hickey Road

Bennings Road

Boundary Sewer

Outfall Sewer

Alternative Outfall Sewer

Inverted Siphon

Sewage Outfall

Naval Magazine

Ferry

Bridge

Aqueduct

Canal Road

New Cut Road

Quarry Road

Adams Mill Road

Woodley Rd

Tenallytown Road

Chain Bridge Road

Bunker Hill Road

Central Avenue

South Ave

Patterson Ave

Maryland Avenue

Pennsylvania Avenue

New York Avenue

Florida Avenue

Massachusetts Avenue

Virginia Avenue

Rhode Island Avenue

Maine Avenue

Jersey Avenue

Delaware Avenue

Ohio Avenue

Tennessee Avenue

Carolina Avenue

Georgia Avenue

North Capitol Street

South Capitol Street

East Capitol Street

Mississippi Avenue

Trinidad Ave

Blandensburg Road

Nichols Ave

Penna. Ave. Extended

Storm Water Overflow

Storm Water Pumping Station

Storm Water Outlet for Side Streets

Storm Water Interceptor

Line of Dike

Tiber Creek Sewer

Old B St. Interceptor

High Level Interceptor

East Side Interceptor

Monument

Description.

- *Sewage Interceptors.*
- *Sewers intercepting storm water as well as sewage.*
- *" carrying storm water only.*
- *Boundary lines of drainage areas.*
- *Lines of proposed dikes.*
- *Existing sewers which are utilized as intercepting sewers in the proposed system.*
- *Populated areas from which storm water will have to be pumped during freshets in the river.*
- *Park area draining into the old B Str. sewer, from which storm water will have to be pumped during freshets.*

Note: The lines of the Eastern Branch, and of the left bank of the Potomac below Giesboro Point, were compiled from the recent surveys made by the U.S Coast and Geodetic Survey.

CHAS. D. COLE. DEL.

H Ex. 1445 511

PHOTO LITH. BY A. HUEN & CO. BALTIMORE, MD.

Map of Proposed
MAIN SEWERAGE and DRAINAGE WORKS
for the
Improvement of the Sanitary Condition
of the
District of Columbia.

Project No. III.

Sewage partly pumped and partly discharged by gravity.
Not recommended.

Report of Board of Sanitary Engineers

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.

Soldiers Home Ground
Mt Pleasant Road
Quarry Road
Adams Mill Road
Wesley Pl
Piney Branch Road
Bunker Hill Road
North Avenue
Central Avenue
South Ave
Patterson Ave
Brentwood Road
Queens Chapel Road
Hickey Road
Turnpike
Bladensburg Road
Bennings Road
Baltimore & Ohio R.R.
Baltimore & Potomac R.R.
Anacostia
Pa Avenue Extended
Washington & Alexandria Electric Railway
Washington & Alexandria Canal
Canal Road
Chesapeake and Ohio Canal
New Cut Road
Tennallytown Road
Aqueduct Bridge
Long Bridge
Alexandria & Washington R.R.
Alexandria Branch
Alexandria Avenue
Washington Avenue
Maryland Avenue
Virginia Avenue
Pennsylvania Avenue
New York Avenue
Florida Avenue
Massachusetts Avenue
Rhode Island Avenue
Vermont Avenue
New Jersey Avenue
North Capitol Street
South Capitol Street
East Capitol
Carolina Avenue
Georgia Avenue
Tennessee Avenue
Delaware Avenue
Indiana Avenue
Ohio Drive
Maine Avenue
Water Street
B Street
D Street
F Street
G Street
I Street
K Street
L Street
M Street
N Street
O Street
P Street
Q Street
R Street
S Street
T Street
U Street
W Street
Florida Ave
Wyoming
California
Hawaii
Oregon
Willard
Hobart
Wilson
Lamont
Harvard
Wallach
Newton
Irving
Holmead
Princeton
Fairmont
Columbia
Kenyon
Fenton
Park
Monroe
Otis
Scott
Quincy
Rock Creek
Rock Creek Lake
Rock Creek Sewage Outfall
Sewage Outfall
Line of Dike
Monument
Executive Grounds
Interceptor
Easby's Point
Ohio Drive
Tidal Reservoir
Water Gate
Low Level Interceptor
Line of Dike
N Street Outfall Sewer
East Side Interceptor
Tiber Creek
Capitol Grounds
Arsenal Grounds
Boundary Sewer
Reservoir
Glenwood Cemetery
Prospect Hill Cemetery
Mt. Olivet Cemetery
Ivy City
Montello
Brookland
Union Town
Twining City
Poplar Pt
Buzzard's Point
Giesboro Pt
Hunters Pt
Gravelly Pt.
Alexander's Island
Arlington National Cemetery
Analostan Island
Rosslyn
Potomac River
Eastern Branch
Insane Asylum

Description.

- *Sewage Interceptors.*
- *Sewers intercepting storm water as well as sewage.*
- *" carrying storm water only*
- *Lines of proposed dikes*
- *Existing sewers which are utilized as intercepting sewers in the proposed system.*
- *Low Level Interceptors, from which the sewage has to be pumped.*

Scale.

0 1000 2000 3000 4000ft.

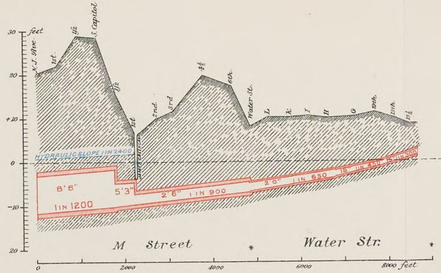
CHAS. D. COLE. DEL.

H Ex. 445. 51 1

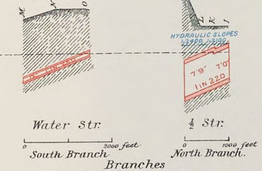
PHOTO. LITH. BY A. HOEN & CO. BALTIMORE, MD.

PROFILES OF MAIN SEWERS

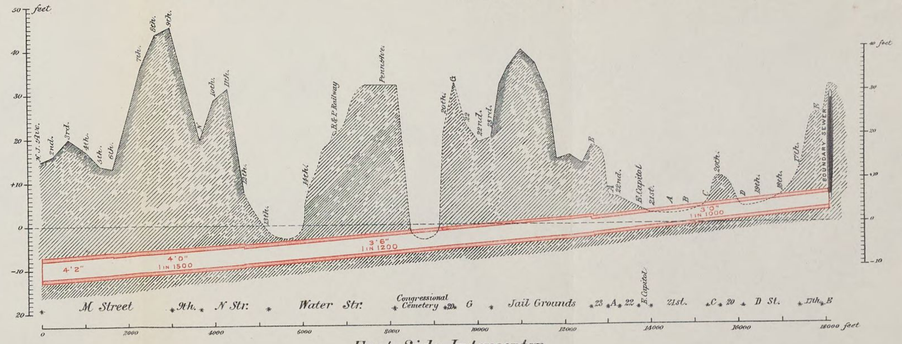
Project No. I.



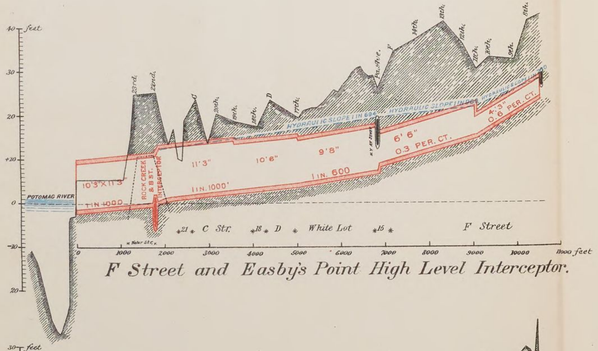
Water and M Str. Interceptor.



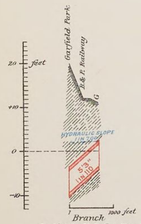
Branches
Water & M Str. Interceptor.

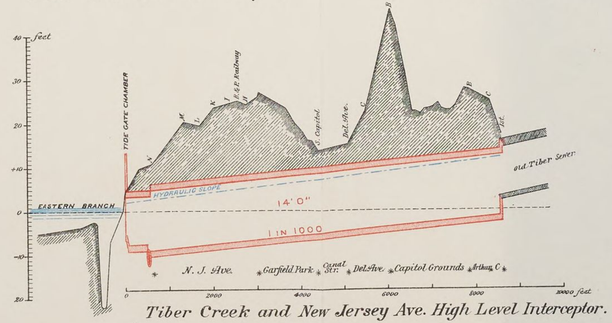


East Side Interceptor.

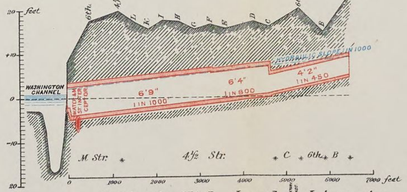


F Street and Easby's Point High Level Interceptor.

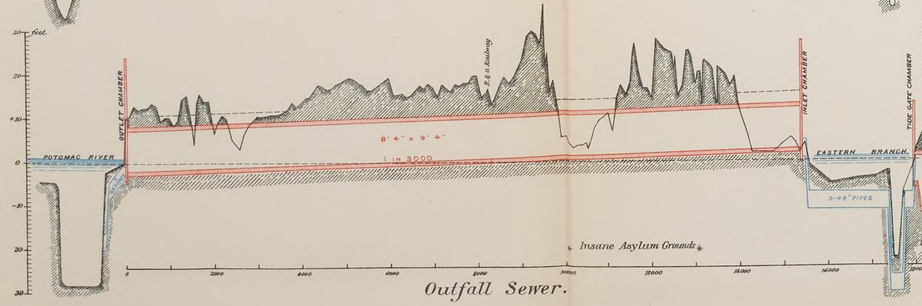




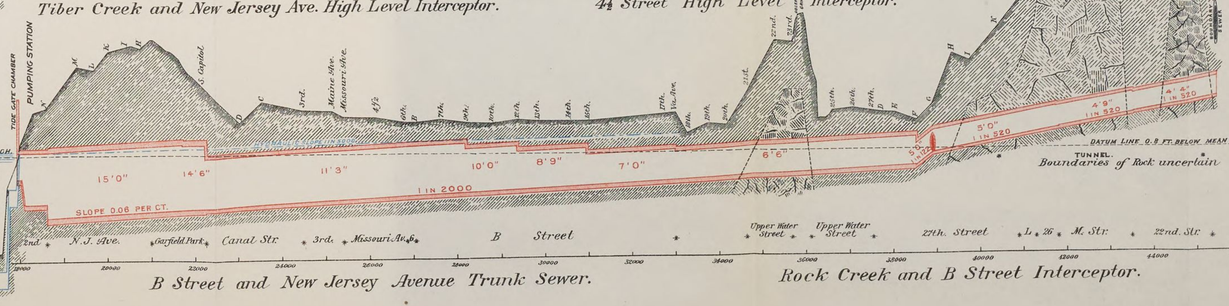
Tiber Creek and New Jersey Ave. High Level Interceptor.



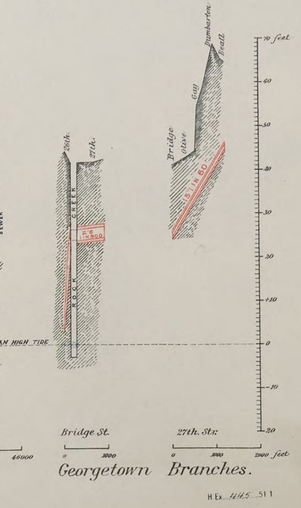
4½ Street High Level Interceptor.



Outfall Sewer.



B Street and New Jersey Avenue Trunk Sewer.



Georgetown Branches.

Rock Creek and B Street Interceptor.

H Ex. 1145 - 511

PHOTO. LITH. BY A. HOEN & CO. BALTIMORE, MD.

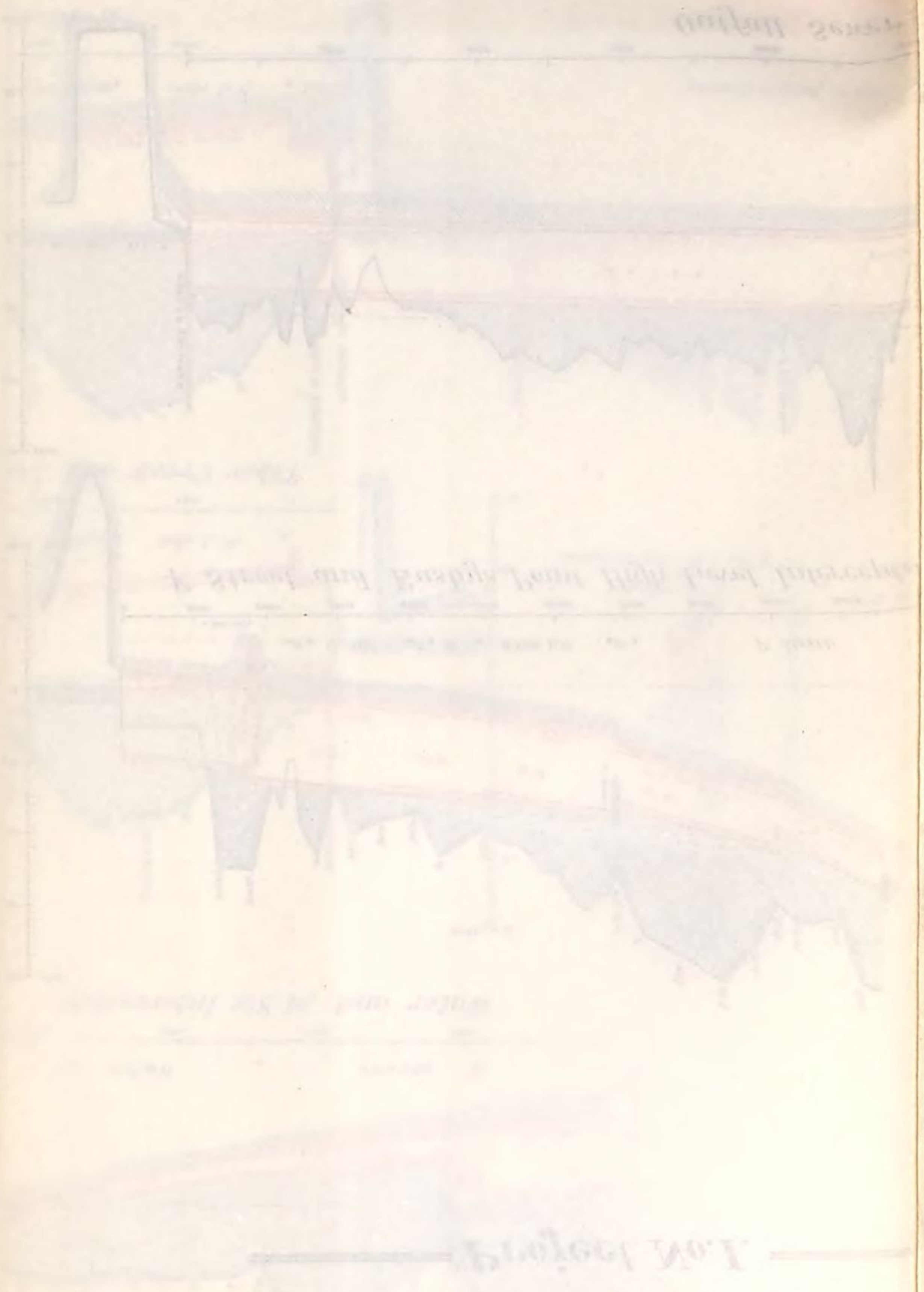


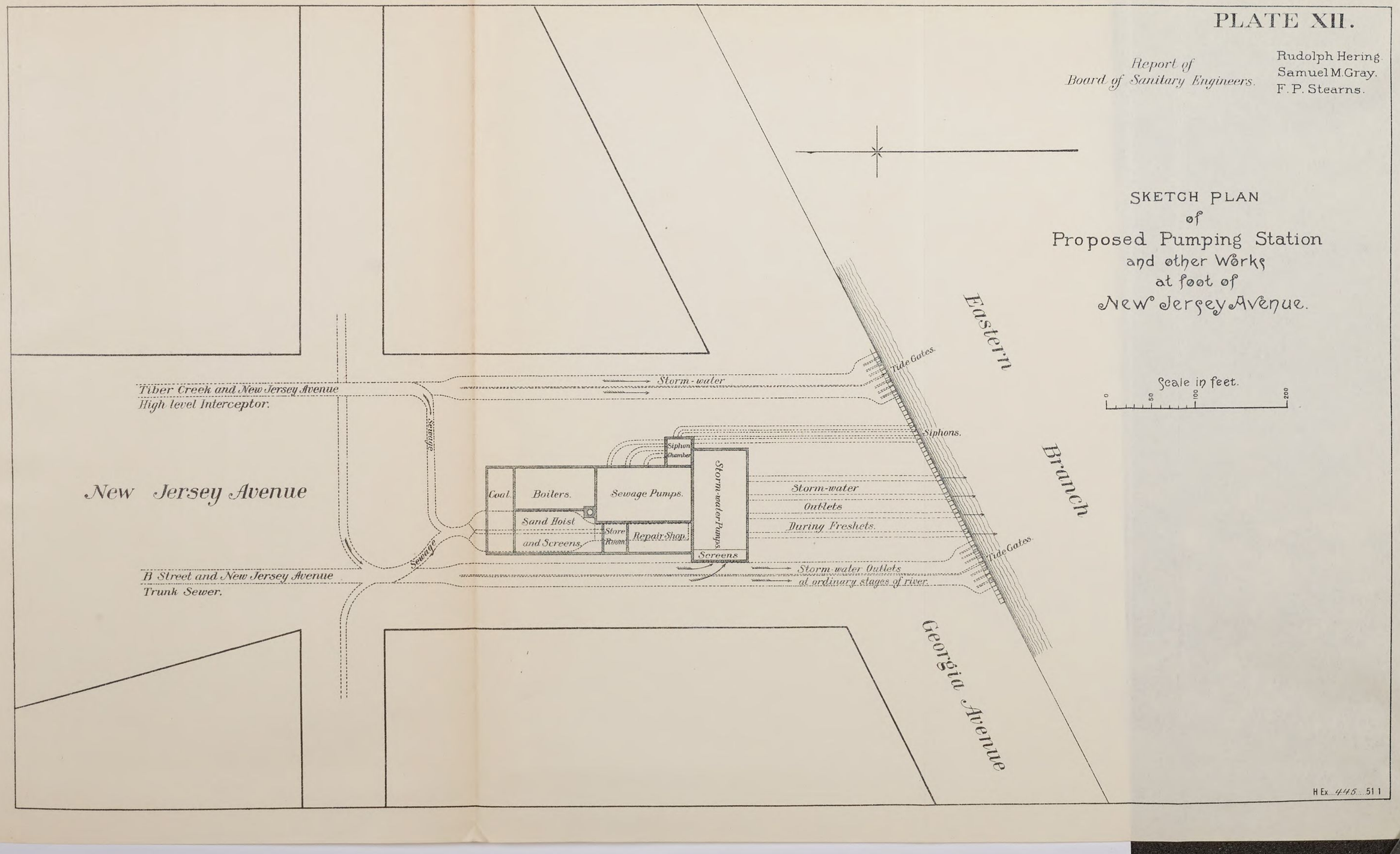
PLATE XII.

Report of Board of Sanitary Engineers.

Rudolph Hering.
Samuel M. Gray.
F. P. Stearns.

SKETCH PLAN of Proposed Pumping Station and other Works at foot of New Jersey Avenue.

Scale in feet. 0 50 100 200



H Ex. 445. 51 1

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 446.

REGIMENTAL BANDS FOR THE ARMY.

LETTER

FROM

THE SECRETARY OF WAR,

INCLOSING

A letter from Chief Musician Charles Lamar, Twenty-first Infantry, and a petition from the members of the band of that regiment, asking that the provisions of House bill No. 5944, "to reorganize the band of the United States Military Academy," may be extended so as to apply to the regimental bands of the Army.

JULY 19, 1890.—Referred to the Committee on Military Affairs.

WAR DEPARTMENT,
Washington City, July 19, 1890.

SIR: I have the honor to inclose for the consideration of Congress a letter from Chief Musician Charles Lamar, Twenty-first Infantry, dated the 8th instant, and its accompanying petition from the members of the band of that regiment, asking that the provisions of House bill No. 5944, "to reorganize the band of the United States Military Academy," may be extended so as to apply to the regimental bands of the Army.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

FORT SIDNEY, NEBR., *July* 8, 1890.

SIR. I have the honor, very respectfully, to inclose herewith a petition of the Twenty-first Infantry band, who are seeking legal recognition and just remuneration at the hands of Congress. At present the Government permits each regiment in our Army to have a band, but actually recognizes one only, that at West Point. But while there is no provision made for the maintenance of regimental bands, Congress allows a chief musician, for whom special provisions are made, and the commanding officer, under certain regulations, may form a band by detailing two men from each of the companies for the purpose of being

instructed in music until they are able to play acceptably upon some one of the band instruments.

The term of service being for five years, in this time some few of the men taught have naturally made good progress and become really efficient performers. But now their term of enlistment expires, and having nothing to hope for in the way of advancement, they turn their backs upon the source whence their knowledge had been derived and make a debut in the big world outside the military post, where the prospects for the future are more alluring than in the service at $13 per month. These men can not honestly be blamed for so doing, but it bears none the less excessively hard upon the band leader, who has the mortification of constantly beholding his most promising pupils leave, while those he would willingly part with remain upon his hands. Thus the band is kept in constant unrest, and this is why our Army bands, as a rule, are so wofully deficient as musical organizations. At present we do not possess the numerical strength, neither the material, for the formation of bands worthy of the name. The regimental bands of all Europe are the pride of their nations, and only the bands of the U. S. Army are the tabooed institutions of the civilized world.

In the United States the most competent musicians are to be found out of the service. In Europe the exact opposite of this is the case. If only one-twentieth part of what has been written of the beneficent influence of music be true there is ample to furnish solid grounds for the statement that music is an indispensable necessity in the moral education of both soldier and citizen. But whether viewed from this higher moral stand-point, or the lower plane, where it is considered in the aspect of a minister to pleasure only, it must readily be obvious that music is at once an essential ornament and an indispensable requisite of Army life. With these thoughts respectfully submitted,

I am, sir,

Very respectfully, your obedient servant,

CHARLES LAMAR,
Chief Musician Twenty-first Infantry.

The SECRETARY OF WAR,
Washington, D. C.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
July 15, 1890.

Respectfully submitted to the Major-General Commanding the Army.

C. MCKEEVER,
Acting Adjutant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, July 17, 1890.

Respectfully submitted to the Secretary of War, suggesting that a copy of this letter be sent to the Military Committee of the Senate, in connection with S. 601, Fifty-first Congress, first session, to provide for regimental bands.

J. M. SCHOFIELD,
Major-General Commanding.

The CHAIRMAN HOUSE COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C. (Through War Department.)

The undersigned members of the Twenty-first Infantry Band, U. S. Army, earnestly and respectfully petition that the bill prepared by your committee to reorganize the band of the Military Academy be extended so as to apply to the regimental bands in the service.

Charles Lamar, John Bergeman, Wm. Fritz, Charles Roth, Fred. A. Coan, Albert Schwat, Peter Walst, Peter Costello, John Peisl, Herman Kruse, William Steeber, Carl Wieland, Rudolf Remmler, Henry Downs, Gustav Pruefer, George Schellkopt, Johann Mayer, Jesse F. Roberts, Charles E. Martin, Franz H. W. Eck.

I fully concur with the members of the band of the Twenty-First Infantry in above petition.

HENRY A. MORROW,
Colonel Twenty-first Infantry.

(The House Committee on Military Affairs has prepared a substitute for H. R. 5944, to reorganize the band of the Military Accademy. The bill provides for one leader with assimilated rank and pay of a second lieutenant of cavalry, ten men of the first class at $34 per month, twenty men of the second class at $20 per month, and one sergeant-major at $34 per month.)

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 447.

CLAIM OF JAMES H. SAVILLE.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication from the Commissioners of the District of Columbia in relation to a judgment of the Court of Claims in favor of James H. Saville for $1,260.

JULY 19, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *July* 18, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Commissioners of the District of Columbia of the 16th instant, in relation to a judgment of the Court of Claims in favor of James H. Saville for $1,260 for services as referee in the case of Matthew J. Laughlin *vs.* District of Columbia, which requires an appropriation for payment thereof under the title "Payment of referees, Court of Claims, District of Columbia," act June 16, 1880 (21 Stat., p. 285).

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,
Washington, July 16, 1890.

SIR: Referring to number 5535 from your office, respecting the claim of J. H. Saville for $1,260 for services as referee in the case of M. J. Laughlin *vs.* the District of Columbia, the Commissioners have to state that, as they reported to your Department on the 1st instant, they have applied to the payment of the claim of Daniel Donovan the $380 reported as then being to the credit of the appropriation for the payment of referees of the Court of Claims.

They inclose herewith certificate of the Court of Claims of the aforesaid award to Mr. Saville, for such use as it may be to your department in acting upon the request of Mr. Saville's attorney that the amount of such indebtedness to him be reported to Congress for incorporation in the current deficiency bill.

Respectfully,

J. W. DOUGLASS,
President Board of Commissioners, District of Columbia.

HON. WILLIAM WINDOM,
Secretary of the Treasury.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 448.

CLAIM OF THE STATE OF MISSOURI UNDER PUBLIC ACT NO. 72.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of the report of the Third Auditor, of the amount found due the State of Missouri, (namely, $996.37), in pursuance of an act of Congress, Public No. 72, approved April 17, 1890.

JULY 21, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
July 19, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of the report of the Third Auditor, of this date, of the amount found due the State of Missouri under the provisions of the act of Congress approved April 17, 1890—public act No. 72.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,
Washington, D. C., July 19, 1890.

SIR: The act of Congress approved April 17, 1890, directed the Secretary of the Treasury to cause an examination of certain claims of the State of Missouri, and to report to Congress at the earliest practicable day the result of the examination, and the amount, if anything, due the State upon such claims. I now transmit a copy of the report made by me to the Second Comptroller upon said claims, and a copy of his finding concurring in the report—the amount so found due the State being $996.37.

Very respectfully,

W. H. HART,
Auditor.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,
June 26, 1890.

In pursuance of an act of Congress, Public No. 72, approved April 17, 1890, providing for an examination of a claim of the State of Missouri for re-imbursement of moneys expended by it since 1862, for military services rendered by officers and enlisted men of the Missouri militia in the suppression of the rebellion 1861–'65, I certify that there is due from the United States to the State of Missouri the sum of $996.37, as will appear as follows.

The claim consists of six vouchers:

Vou. 2.	Jas. M. Hutchinson, 2nd lt., "B," 6th Pro. En. Mo. Militia, services, Oct. 31, 1863, to July 31, 1864	$852.15
5.	Franklin Carrier, prt., "M," 2nd Pro. En. Mo. Militia, services, July 1, 1863, to Oct. 28, 1863	83.20
7.	Wm. A. Rogers, prt., "L," 62nd En. Mo. Militia, services, Aug. 30, 1864, to Oct., 12, 1864	2.25
9.	James Crites, prt., "D," 56th En. Mo. Militia, services, Oct. 1, 1862, to May 15, 1863	7.15
11.	Sam'l Foster, prt., "H," 60th En. Mo. Militia, services, June 23, 1863, to Aug. 5, 1863	39.35
12.	Marcus Morton, prt., "M," 2nd Pro. En. Mo. Militia, services, Aug. 1, 1863, to Oct. 5, 1863	12.27
	Total	996.37

It is needless in this connection to rehearse the history of the militia of Missouri. It is sufficient to say that it was organized for State service; served in the State during the war, but was never mustered into the service of the United States, and that by act of April 17, 1866, Congress authorized re-imbursement to the State for moneys expended in enrolling, equipping, and provisioning this force employed in aiding United States forces in suppressing the rebellion. The records show that between $6,000,000 and $7,000,000 have already been paid Missouri by authority of said act.

The names of the foregoing militiamen are all borne on the proper pay-rolls of their respective organizations, but they did not receive pay for their services until 1883, when payment was made by the State. It is not explained why they were not paid with others at the time the service was performed.

Reports by the Third Auditor accompany the vouchers showing the time each man was engaged in active service as gathered from the rolls. In these reports the Auditor also says that no evidence of payment by the State to the soldiers appears in the claims of Missouri on file in his office. I have examined the rolls and find the facts to be as stated.

The cases above enumerated are now presented by the governor of Missouri as being, and evidently are. those which said act directed the Secretary of the Treasury to cause to be examined, and to make report thereon to Congress.

All the papers are herewith transmitted for such action as you may deem proper.

W. H. HART,
Auditor.

HON. SECOND COMPTROLLER.

SECOND COMPTROLLER'S OFFICE,
July 16, 1890.

I admit and certify that there appears to be due from the United States to the State of Missouri a balance of $996.37 under the act of April 17, 1890, as reported by the Third Auditor of the Treasury.

B. F. GILKESON,
Comptroller.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,
July 19, 1890.

I certify that the foregoing are true copies of the originals, on file in this office.

W. H. HART,
Auditor.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 449

CLAIM OF GEORGE C. FOULK.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Secretary of State, submitting for an appropriation the claim of George C. Foulk, late a lieutenant in the United States Navy and naval attaché to the legation of the United States at Seoul, Corea.

JULY 23, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
July 23, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of State of the 19th instant, submitting for an appropriation the claim of George C. Foulk, late a lieutenant in the United States Navy and naval attaché to the legation of the United States at Seoul, Corea.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE,
Washington, July 19, 1890.

SIR: I have the honor to transmit herewith a draught of a proposed amendment to the pending general deficiency bill for the relief of George C. Foulk, late a lieutenant of the junior grade in the United States Navy.

Mr. Foulk, at the time an ensign in the Navy and in the line of promotion, was, on the 12th of November, 1883, designated by the President as naval attaché to the legation of the United States at Seoul, Corea. On the 22d of December, 1884, he was by force of circumstances over which he had no directing control and by reason of his availability and competency, placed in charge of the legation upon the departure from Seoul of the minister, General Foote.

Mr. Foulk remained in charge until the 12th of June, 1886. On the 14th of May, 1885, he was instructed by the Secretary of State that from and after the departure of General Foote from Seoul he was entitled to draw upon this Department for compensation as chargé d'affaires *ad interim* at one-half of the salary of the minister, namely, $2,500 per annum, and for the contingent expenses of the legation in like manner at the rate of $3,000 per annum, which included the salary of an interpreter; and he was further advised at the same time that his salary as chargé was in lieu of the amount due him as an officer in the United States Navy. Accordingly his salary as an officer of the Navy for the period I have indicated and in the sum of $2,210.96, was withheld. On the 13th of June, 1886, Mr. Foulk was relieved, and thereupon proceeded, in ill health, to Japan, whence, about two months later, he was peremptorily ordered to return to Seoul and again take charge of the legation in his former capacity. He arrived there and took charge on the 1st of September, 1886, and remained as chargé d'affaires until the 11th of the following December, during which period his pay as an officer of the Navy, amounting to $419.18, was again withheld upon the ground, as stated by the Fourth Auditor of the Treasury, that no person could hold two offices not compatible and receive the compensation provided by law for each at the same time.

I dissent from that ruling, and in this relation I have the honor to invite your attention to the case of the United States against Saunders, reported in vol. 120, United States Supreme Court Reports, pp. 126–130, which was a case on appeal from the Court of Claims, January, 1887, and in which the opinion of the Supreme Court was expressed in the following language:

> We are of opinion that, taking these sections altogether [sections 1763, 1764, and 1765, Revised Statutes of the United States], the purpose of this legislation was to prevent a person holding an office or appointment, for which the law provides a definite compensation by way of salary or otherwise, which is intended to cover all the services which, as such officer, he may be called upon to render, from receiving extra compensation, additional allowances, or pay for other services which may be required of him either by act of Congress or by order of the head of his Department, or in any other mode, added to or connected with the regular duties of the place which he holds, but that they have no application to the case of two distinct offices, places, or employments, each of which has its own duties and its own compensation, which offices may both be held by one person at the same time. In the latter case, he is in the eye of the law two officers, or holds two places or appointments, the functions of which are separate and distinct, and, according to all the decisions, he is in such case entitled to recover the two compensations. In the former case, he performs the added duties under his appointment to a single place, and the statute has provided that he shall receive no additional compensation for that class of duties unless it is so provided by special legislation.

I am informed that the accounting officers of the Treasury do not regard the opinion in the Saunders case as applicable to the case of Mr. Foulk, again alleging as a reason the "incompatibility" of the two offices he held. But I do not find that the honorable court considered the question of compatibility as at all essential to the conclusions reached, and I am inclined to regard the opinion as clearly, if not peculiarly applicable to the case of Mr. Foulk. There is, however, another and parallel view of the matter to which I have the honor to invite your attention.

Section 1686, Revised Statutes of the United States, provides that—

> When to any diplomatic office held by any person there is superadded another, such person shall be allowed additional compensation for his services in such superadded office, at the rate of fifty per centum of the amount allowed by law for such superadded office, and for such time as shall be actually and necessarily occupied in making the transit between the two posts of duty, at the commencement and termination of the period of such superadded office, and no longer, and such superadded office shall be deemed to continue during the time to which it is limited by the terms thereof.

Mr. Foulk's functions and duties were dual. He was instructed to report both to the Navy Department and the Department of State, and he did so, as I am informed and believe, with great acceptability. Regarded as a naval officer performing the additional duties as chargé d'affaires, the opinion in the Saunders case would seem to govern his own; regarded as a diplomatic officer (naval attaché), performing the same additional duties in the office of minister, under the designation of chargé d'affaires, section 1686 of the Revised Statutes would, it appears, determine the rate of his compensation.

I have been moved to urge his apparent rights upon your attention, not only by reason of the law and equity in his case, but as well because of the peculiar hardships entailed upon him through the anomalous position he occupied under instructions from this Department, and the exigencies of the situation in Corea during the two periods of his incumbency as chargé there. He was obliged, at no desire of his own, to perform the duties and maintain the official and social status of a regularly accredited minister, but without adequate means of defraying the necessary incidental expense.

Compliance with his repeated request to the Department of State for relief (by the appointment of a minister) appears to have been unavoidably delayed. He was subject to humiliations, he was compelled to borrow money to maintain his official as well as his personal standing, and there is no doubt that, as he alleges, he suffered both physically and mentally. He was careful, prompt, and intelligent in the discharge of his duties, and the Secretary of State was glad to compliment him officially in unmistakable terms in a letter to the Secretary of the Navy dated November 1, 1887.

During both the periods in which he acted as chargé d'affaires at Seoul, Mr. Foulk was an officer of the Navy entitled to the pay of a lieutenant of the junior grade, at the rate of $1,500 per annum, through promotion by operation of law afterwards confirmed by an examination successfully passed. He has since resigned from the Navy.

The Department will be obliged if you will immediately bring this request to the attention of Congress, to the end that the appropriation asked for may be included, if possible, in the pending deficiency bill.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

The SECRETARY OF THE TREASURY.

DRAUGHT OF PROPOSED AMENDMENT TO THE GENERAL DEFICIENCY BILL.

[For the payment of $2,630.14 salary to George C. Foulk, as a lieutenant junior grade in the United States Navy, from December 22, 1884, to June 12, 1886, inclusive, and from September 1, 1886, to December 11, 1886, inclusive, and not heretofore paid.]

That the proper accounting and disbursing officers of the Treasury be, and they are hereby, authorized and directed to audit and pay, upon presentation of a proper account and vouchers, to George C. Foulk, late a lieutenant of the junior grade in the Navy of the United States, the sum of two thousand six hundred and thirty dollars and fourteen cents, salary as such lieutenant at the rate of one thousand five hundred dollars per annum, for a period from the twenty-second day of December, eighteen hundred and eighty-four, to the twelfth day of June, eighteen hundred and eighty-six, inclusive, and for an additional period from the first day of September, eighteen hundred and eighty-six, to the eleventh day of December, eighteen hundred and eighty-six, inclusive, not heretofore paid; and that the said sum of two thousand six hundred and thirty dollars and fourteen cents be, and the same is hereby, appropriated for the purpose out of any moneys in the Treasury not otherwise appropriated.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 450.

SEAL FISHERIES OF BEHRING SEA.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A letter from the Secretary of State, with accompanying papers, touching the subjects in dispute between the Government of the United States and the Government of Great Britain in the Behring Sea, including all communications since March 4, 1889.

JULY 23, 1890.—Referred to the Committee on Foreign Affairs.

To the House of Representatives:

In response to the resolution of the House of Representatives, requesting me, if in my judgment not incompatible with the public interest, to furnish to the House the correspondence since March 4, 1889, between the Government of the United States and the Government of Great Britain touching the subjects in dispute in the Behring Sea, I transmit a letter from the Secretary of State which is accompanied by the correspondence referred to in the resolution.

BENJ. HARRISON.

EXECUTIVE MANSION,
July 23, 1890.

BAR HARBOR, MAINE, *July* 19, 1890.

To the PRESIDENT:

The official correspondence between the Government of the United States and the Government of Great Britain,—touching the seal fisheries of Behring Sea,—whose transmission to the House of Representatives you directed on the 11th instant, is herewith submitted. All communications since March 4, 1889, are included. A map will accompany my dispatch of June 30, 1890. I sincerely regret the delay in transmission. The correspondence is still in progress.

I am, sir, with great respect, your obedient servant,

JAMES G. BLAINE.

LIST OF ACCOMPANYING PAPERS.

No. 1. Mr. Edwardes to Mr. Blaine, August 24, 1889.
No. 2. Mr. Blaine to Mr. Edwardes, August 24, 1889.
No. 3. Mr. Edwardes to Mr. Blaine, August 25, 1889.
No. 4. Mr. Edwardes to Mr. Blaine, September 12, 1889.
No. 5. Mr. Blaine to Mr. Edwardes, September 14, 1889.
No. 6. The Marquis of Salisbury to Mr. Edwardes, October 2, 1889.
No. 7. The Marquis of Salisbury to Mr. Edwardes, with an inclosure, October 2, 1889.
No. 8. Mr. Edwardes to Mr. Blaine, October 14, 1889.
No. 9. Mr. Blaine to Sir Julian Pauncefote, January 22, 1890.
No. 10. Sir Julian Pauncefote to Mr. Blaine, February 10, 1890.
No. 11. Mr. Blaine to Sir Julian Pauncefote, with an inclosure, March 1, 1890.
No. 12. Sir Julian Pauncefote to Mr. Blaine, with an inclosure, March 9, 1890.
No. 13. Sir Julian Pauncefote to Mr. Blaine, with an inclosure, received April 30, 1890.
No. 14. The Marquis of Salisbury to Sir Julian Pauncefote, with an inclosure, May 22, 1890.
No. 15. Sir Julian Pauncefote to Mr. Blaine, May 23, 1890.
No. 16. Mr. Blaine to Sir Julian Pauncefote, May 26, 1890.
No. 17. Mr. Blaine to Sir Julian Pauncefote, May 29, 1890.
No. 18. Mr. Blaine to Sir Julian Pauncefote, June 2, 1890.
No. 19. Sir Julian Pauncefote to Mr. Blaine, June 3, 1890.
No. 20. Mr. Blaine to Sir Julian Pauncefote, June 4, 1890.
No. 21. Sir Julian Pauncefote to Mr. Blaine, June 6, 1890.
No. 22. Sir Julian Pauncefote to Mr. Blaine, extract from telegram from the Marquis of Salisbury, received June 9, 1890.
No. 23. Mr. Blaine to Sir Julian Pauncefote, June 11, 1890.
No. 24. Sir Julian Pauncefote to Mr. Blaine, June 11, 1890.
No. 25. Sir Julian Pauncefote to Mr. Blaine with an inclosure, June 14, 1890.
No. 26. Sir Julian Pauncefote to Mr. Blaine, June 27, 1890.
No. 27. Mr. Blaine to Sir Julian Pauncefote, with map, June 30, 1890.
No. 28. Sir Julian Pauncefote to Mr. Blaine, with an inclosure, June 30, 1890.
No. 29. Sir Julian Pauncefote to Mr. Blaine, June 30, 1890.
No. 30. Mr. Blaine to Sir Julian Pauncefote, July 2, 1890.
No. 31. Mr. Blaine to Sir Julian Pauncefote, July 19, 1890.

No. 1.

Mr. Edwardes to Mr. Blaine.

BAR HARBOR, *August* 24, 1889.

SIR: In accordance with instructions which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honor to state to you that repeated rumors have of late reached Her Majesty's Government that United States cruisers have stopped, searched, and even seized British vessels in Behring Sea outside of the 3-mile limit from the nearest land. Although no official confirmation of these rumors has reached Her Majesty's Government there appears to be no reason to doubt their authenticity.

I am desired by the Marquis of Salisbury to inquire whether the United States Government are in possession of similar information, and further to ask that stringent instructions may be sent by the United States Government, at the earliest moment, to their officers, with the view to prevent the possibility of such occurrences taking place.

In continuation of my instructions I have the honor to remind you that Her Majesty's Government received very clear assurances last year from Mr. Bayard, at that time Secretary of State, that pending the discussion of the general questions at issue no further interference should take place with British vessels in Behring Sea.

In conclusion, the Marquis of Salisbury desires me to say that Sir Julian Pauncefote, Her Majesty's Minister, will be prepared on his return to Washington in the autumn to discuss the whole question, and Her Majesty's Government wish to point out to the United States Government that a settlement can not but be hindered by any measures of force which may be resorted to by the United States.

I have, etc.,

H. G. EDWARDES.

No. 2.

Mr. Blaine to Mr. Edwardes.

BAR HARBOR, *August* 24, 1889.

SIR: I have the honor to acknowledge the receipt of your communication of this date, conveying to me the intelligence "that repeated rumors have of late reached Her Majesty's Government that United States cruisers have stopped, searched, and even seized British vessels in Behring Sea outside the 3-mile limit from the nearest land." And you add that, "although no official confirmation of these rumors has reached Her Majesty's Government, there appears to be no reason to doubt their authenticity."

In reply I have the honor to state that the same rumors, probably based on truth, have reached the Government of the United States, but that up to this date there has been no official communication received on the subject.

It has been and is the earnest desire of the President of the United States to have such an adjustment as shall remove all possible ground of misunderstanding with Her Majesty's Government concerning the existing troubles in the Behring Sea; and the President believes that the responsibility for delay in the adjustment can not be properly charged to the Government of the United States.

I beg you will express to the Marquis of Salisbury the gratification with which the Government of the United States learns that Sir Julian Pauncefote, Her Majesty's minister, will be prepared, on his return to Washington in the autumn, to discuss the whole question. It gives me pleasure to assure you that the Government of the United States will endeavor to be prepared for the discussion, and that in the opinion of the President, the points at issue between the two governments are capable of prompt adjustment on a basis entirely honorable to both.

I have, etc.,

JAMES G. BLAINE.

No. 3.

Mr. Edwardes to Mr. Blaine.

BAR HARBOR, *August* 25, 1889.

SIR: I had the honor to receive yesterday your note in which you have been good enough to inform me, with respect to the repeated rumors which have of late reached Her Majesty's Government of the search and seizure of British vessels in Behring Sea by United States cruisers, that the same rumors, probably based on truth, have reached

the United States Government, but that up to this date there has been no official communication received on the subject.

At the same time you have done me the honor to inform me that it has been and is the earnest desire of the President of the United States to have such an adjustment as shall remove all possible ground of misunderstanding with Her Majesty's Government concerning the existing troubles in the Behring Sea; and that the President believes that the responsibility for delay in that adjustment can not be properly charged to the Government of the United States.

You request me at the same time to express to the Marquis of Salisbury the gratification with which the Government of the United States learns that Sir Julian Pauncefote, Her Majesty's minister, will be prepared on his return to Washington in the autumn to discuss the whole question, and you are good enough to inform me of the pleasure you have in assuring me that the Government of the United States will endeavor to be prepared for the discussion, and that, in the opinion of the President, the points at issue between the two Governments are capable of prompt adjustment on a basis entirely honorable to both.

I shall lose no time in bringing your reply to the knowledge of Her Majesty's Government, who, while awaiting an answer to the other inquiry I had the honor to make to you, will, I feel confident, receive with much satisfaction the assurances which you have been good enough to make to me in your note of yesterday's date.

I have, etc.,

H. G. EDWARDES.

No. 4.

Mr. Edwardes to Mr. Blaine.

WASHINGTON, *September* 12, 1889.

MY DEAR MR. BLAINE: I should be very much obliged if you would kindly let me know when I may expect an answer to the request of Her Majesty's Government, which I had the honor of communicating to you in my note of the 24th of August, that instructions may be sent to Alaska to prevent the possibility of the seizure of British ships in Behring Sea. Her Majesty's Government are earnestly awaiting the reply of the United States Government on this subject, as the recent reports of seizures having taken place are causing much excitement both in England and in Canada.

I remain, etc.,

H. G. EDWARDES.

No. 5.

Mr. Blaine to Mr. Edwardes.

BAR HARBOR, *September* 14, 1889.

SIR: I have the honor to acknowledge the receipt of your personal note of the 12th instant, written at Washington, in which you desire to know when you may expect an answer to the request of Her Majesty's Government, "that instructions may be sent to Alaska to prevent the possibility of the seizure of British ships in Behring Sea."

I had supposed that my note of August 24 would satisfy Her Majesty's Government of the President's earnest desire to come to a friendly agreement touching all matters at issue between the two Governments in relation to Behring Sea, and I had further supposed that your mention of the official instruction to Sir Julian Pauncefote to proceed, immediately after his arrival in October, to a full discussion of the question, removed all necessity of a preliminary correspondence touching its merits.

Referring more particularly to the question of which you repeat the desire of your Government for an answer, I have the honor to inform you that a categorical response would have been and still is impracticable,—unjust to this Government, and misleading to the Government of Her Majesty. It was therefore the judgment of the President that the whole subject could more wisely be remanded to the formal discussion so near at hand which Her Majesty's Government has proposed, and to which the Government of the United States has cordially assented.

It is proper, however, to add that any instruction sent to Behring Sea at the time of your original request, upon the 24th of August, would have failed to reach those waters before the proposed departure of the vessels of the United States.

I have, etc.,

JAMES G. BLAINE.

No. 6.

The Marquis of Salisbury to Mr. Edwardes.

[Left at the Department of State by Mr. Edwardes.]

FOREIGN OFFICE, *October* 2, 1889.

SIR: At the time when the seizures of British ships hunting seals in Behring's Sea during the years 1886 and 1887 were the subjects of discussion the minister of the United States made certain overtures to Her Majesty's Government with respect to the institution of a close time for the seal fishery, for the purpose of preventing the extirpation of the species in that part of the world. Without in any way admitting that considerations of this order could justify the seizure of vessels which were transgressing no rule of international law, Her Majesty's Government were very ready to agree that the subject was one deserving of the gravest attention on the part of all the Governments interested in those waters.

The Russian Government was disposed to join in the proposed negotiations, but they were suspended for a time in consequence of objections raised by the Dominion of Canada and of doubts thrown on the physical data on which any restrictive legislation must have been based.

Her Majesty's Government are fully sensible of the importance of this question, and of the great value which will attach to an international agreement in respect to it, and Her Majesty's representative will be furnished with the requisite instructions in case the Secretary of State should be willing to enter upon the discussion.

You will read this dispatch and my dispatch No. 205, of this date, to the Secretary of State, and, if he should desire it, you are authorized to give him copies of them.

I am, etc.,

SALISBURY.

No. 7.

The Marquis of Salisbury to Mr. Edwardes.

[Left at the Department of State by Mr. Edwardes.]

FOREIGN OFFICE, *October* 2, 1889.

SIR: In my dispatch No. 176 of the 17th August last I furnished you with copies of a correspondence which had passed between this department and the colonial office on the subject of the seizure of the Canadian vessels *Black Diamond* and *Triumph* in the Behring's Sea by the United States revenue cutter *Rush*.

I have now received and transmit herewith a copy of a dispatch from the governor-general of Canada to the secretary of state for the colonies, which incloses copies of the instructions given to the special officer placed on board the *Black Diamond* by the officer commanding the *Rush*, and of a letter from the collector of customs at Victoria, together with the sworn affidavits of the masters of the two Canadian vessels.

It is apparent from these affidavits that the vessels were seized at a distance from land far in excess of the limit of maritime jurisdiction which any nation can claim by international law.

The cases are similar in this respect to those of the ships *Caroline*, *Onward*, and *Thornton*, which were seized by a vessel of the United States outside territorial waters in the summer of 1887. In a dispatch to Sir L. West dated September 10, 1887, which was communicated to Mr. Bayard, I drew the attention of the Government of the United States to the illegality of these proceedings, and expressed a hope that due compensation would be awarded to the subjects of her Majesty who had suffered from them. I have not, since that time, received from the Government of the United States any intimation of their intentions in this respect, or any explanation of the grounds upon which this interference with the British sealers had been authorized. Mr. Bayard did, indeed, communicate to us unofficially an assurance that no further seizures of this character should take place pending the discussion of the questions involved between the two governments. Her Majesty's Government much regret to find that this understanding has not been carried forward into the present year, and that instructions have been issued to cruisers of the United States to seize British vessels fishing for seals in Behring's Sea outside the limit of territorial waters. The grounds upon which these violent measures have been taken have not been communicated to Her Majesty's Government, and remain still unexplained.

But in view of the unexpected renewal of the seizures of which Her Majesty's Government have previously complained, it is my duty to protest against them, and to state that, in the opinion of Her Majesty's Government, they are wholly unjustified by international law.

I am, etc.,

SALISBURY.

[Inclosure.]

Mr. Bramston to the Under-Secretary of State for Foreign Affairs.

COLONIAL OFFICE, *September* 10, 1889.

SIR: With reference to previous correspondence respecting the seizures of Canadian sealers in Behring's Sea, I am directed by Lord Knutsford to transmit to you for communication to the marquis of Salisbury a copy of a dispatch from the governor-general of the Dominion with its inclosures on the subject.

I am, etc.,

JOHN BRAMSTON.

[Inclosure 2.]

Lord Stanley of Preston to Lord Knutsford.

CITADEL, QUEBEC, *August* 26, 1889.

MY LORD: With reference to previous correspondence respecting the seizure of the *Black Diamond* and the detention of the *Triumph* in Behring Sea, I have the honor to forward herewith a copy of an approved minute of the privy council submitting copies of the instructions given to the special officer placed on board the *Black Diamond* by the captain of the United States revenue cutter *Rush*, and of a letter from the collector of customs at Victoria, together with the affidavits of the masters of the two vessels.

I have, etc.,

STANLEY OF PRESTON.

[Inclosure 3.]

Certified copy of a report of a committee of the honorable the privy council, approved by his excellency the governor-general in council, on the 22d of August, 1889.

On a report dated the 13th of August, 1889, from the minister of marine and fisheries, submitting, in reference to the seizure in the Behring sea of the schooner *Black Diamond* and the boarding of the schooner *Triumph*, the original instructions given to the special officer placed by the captain of the United States revenue cutter *Rush* on board the *Black Diamond* at the time of the latter's seizure, and also a letter from the honorable Mr. W. Hamley, collector of customs at Victoria, British Columbia, together with the following affidavits:

1. Affidavit of Owen Thomas, of Victoria, British Columbia, master of the British sealing schooner *Black Diamond*.

2. Affidavit of Daniel McLean, of Victoria, British Columbia, master of the British sealing schooner *Triumph*.

The minister recommends that copies of the inclosures herewith be immediately forwarded for the information of Her Majesty's Government.

The committee concurring advise that your excellency be moved to forward this minute, together with copies of the inclosures, to the right honorable the secretary of state for the colonies.

All of which is respectfully submitted.

JOHN J. MCGEE,
Clerk Privy Council

[Inclosure 4.]

Captain Shepard to Mr. Hankanson.

U. S. REVENUE STEAMER RUSH, BEHRING SEA,
Latitude 56° 22′ *N., longitude* 170° 25′ *W., July* 11, 1889.

SIR: You are hereby appointed a special officer, and directed to proceed on board the schooner *Black Diamond*, of Victoria, British Columbia, this day seized for violation of law (Section 1956, Revised Statutes of the United States), and assume charge of the said vessel, her officers and crew, twenty-five in number, all told, excepting the navigation of the vessel, which is reserved to Capt. Owen Thomas, and which you will not interfere with unless you become convinced that he is proceeding to some other than your port of destination, in which event you are authorized to assume full charge of the vessel. Everything being in readiness, you will direct Capt. Owen Thomas to make the best of his way to Sitka, Alaska, and upon ar rival at that port you will report in person to the United States district attorney for the district of Alaska, and deliver to him the letter so addressed, the schooner *Black Diamond*, of Victoria, British Columbia, her outfit, and the persons of Capt. Owen Thomas and Mate Alexander Galt, and set her crew at liberty. After being relieved of the property and persons entrusted to your care, you will await at Sitka the arrival of the *Rush*.

Very respectfully, etc.

L. G. SHEPARD,
Captain U. S. Revenue Steamer Rush.

[Inclosure 5.]

Mr. Hamley to the Minister of Customs.

CUSTOM-HOUSE, *Victoria, August* 5, 1889.

SIR: I forward herewith, in original, the orders given by Captain Shepard, of the United States revenue cutter *Rush*, to J. Hankanson, special officer, to proceed on board the British schooner *Black Diamond*, seized in Behring Sea, and to take her to Sitka. The master of the schooner reports to me that the Indians employed as hunters in the schooner would, he believes, have murdered Hankanson if an attempt had been made to take her to Sitka. The master got out of the sea and sailed at once for Victoria without any opposition on the part of Hankanson, and I think it is very probable that the orders given him privately by the captain of the *Rush* were not to interfere in any way with the destination of the vessel.

She arrived here on Saturday evening, the 3d of August. The object of the revenue cutter was no doubt attained in taking her skins, rifles, and Indian spears away and sending the vessel out of Behring Sea. Her certificate of registry was also taken away. Shall I give her a fresh certificate?

I have, etc.,

W. HAMLEY.

[Inclosure 6.]

Declaration of Owen Thomas.

In the matter of the seizure of the sealing schooner Black Diamond by the United States revenue cutter Richard Rush on the 11*th day of July*, 1889.

I, Owen Thomas, of the city of Victoria, British Columbia, master mariner, do solemnly and sincerely declare that:

1. I am a master mariner and was, at the time of the occurrences hereinafter mentioned and still am, the master of the schooner *Black Diamond*, of the port of Victoria, British Columbia.

2. On the 11th day of July, 1889, whilst I was on board and in command of the said schooner, and she being then on a sealing expedition, and being in latitude 56° 22′ north, and longitude 170° 25′ west, and at a distance of about 35 miles from land, the United States revenue cutter *Richard Rush* overhauled the said schooner, and having hailed her by shouting a command which I could not distinctly hear, steamed across the bows of said schooner, compelling her to come to. A boat was then lowered from the said cutter and Lieutenant Tuttle and five other men from the United States vessel came aboard the said schooner. I asked the lieutenant what he wanted, and on his stating he wished to see the ship's papers, I took him down to my cabin and showed them to him. He then commanded me to hand the papers over to him; this I refused to do and locked them up in my locker.

At this time there were 131 seal-skins aboard the schooner, 76 of which had been salted and 55 of which were unsalted, and Lieutenant Tuttle ordered his men to bring up the skins and to take the salted ones on board the *Richard Rush*. The cutter's men accordingly transferred all of the salted skins from my schooner to the *Richard Rush* and also took aboard the cutter two sacks of salt and a rifle belonging to the schooner. Lieutenant Tuttle then again demanded me to give up the ship's papers and told me that if I would not give them up he would take them by force. As I still declined to part with them he signaled to the cutter and a boat came off with the master-at-arms, who came on board the schooner. Lieutenant Tuttle asked me for the keys of the locker, so that he might get the papers, and upon my refusing to give them to him he ordered the master-at-arms to force open the locker. The master-at-arms then unscrewed the hinges of the locker, took out the ship's papers, and handed them to Lieutenant Tuttle. Lieutenant Tuttle then returned to the *Richard Rush* and came back to the schooner again, bringing on board with him one whose name I have since heard to be John Hawkinson and who I believe to be a quartermaster of the *Richard Rush*. Lieutenant Tuttle then told me to take the schooner to Sitka. I told him that I would not go unless he put a crew on board to take the schooner there. He gave Hawkinson directions to take the ship to Sitka and gave him letters to give to the United States authorities on arrival.

Lieutenant Tuttle before leaving my schooner ordered twenty Indian spears which were aboard for sealing purposes to be taken on to the *Richard Rush*. I asked the lieutenant to give me a receipt for the papers, skins, etc., he had taken; this he refused to do, and he then returned to the *Richard Rush*, taking the said spears with him

and leaving the man Hawkinson in charge of the schooner; shortly afterwards the cutter steamed away without returning the ship's papers, seal skins, and other goods before mentioned.

After the departure of the United States vessel, I directed my course to Ounalaska, hoping to meet with an English man-of-war. We arrived there on the 15th of July. My crew at this time consisted of a mate, Alexander Gault, two white seamen, deck hands, and a white cook and twenty Indians. The Indians, thinking we were going to Sitka, became mutinous, and told me the best thing I could do to avoid trouble was to take the schooner home; they also warned the other white men on board that if they thought I meant to take the schooner to Sitka they would throw us all overboard.

There being no man-of-war at Ounalaska, I left there and directed my course to Victoria, and arrived at that port at about 7 p. m. on Saturday, the 3d of August last, having on board the said John Hawkinson, who during the cruise to Victoria had not tried to give me any directions or made any suggestions as to the course to be taken by the schooner. On arrival at Victoria, Hawkinson was put on shore by one of my boats.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the oaths ordinance 1869.

OWEN THOMAS.

Declared at the city of Victoria, British Columbia, the 7th day of August, 1889, before me,

ERNEST V. BODWELL,
A Notary Public for the Province of British Columbia.

[Inclosure 7.]

Affidavit of Daniel McLean.

I, Daniel M'Lean, of the city of Victoria, in the province of British Columbia, Dominion of Canada, being duly sworn, depose as follows:

That I am master and part owner of the British schooner *Triumph*, registered at the port of Victoria, British Columbia; that in conformity with the laws of the Dominion of Canada I regularly cleared the said schooner *Triumph* for a voyage to the North Pacific Ocean and Behring Sea, and that in pursuance of my legitimate business did enter the said Behring Sea on 4th day of July, 1889, and did in a peaceful manner proceed on my voyage, and being in latitude 56° 05′ north, longitude 171° 23′ west, on the 11th day of July, 1889, at the hour of 8.30 a. m., was hailed by commander of the United States revenue cutter *Richard Rush*, the said revenue cutter being a vessel belonging to the Government of the United States and regularly commissioned by the same; a boat having been lowered by officer and crew, I was boarded by the same.

The officer in charge of the boat being one Lieutenant Tuttle, who demanded the official papers of my vessel, and after reading the same proceeded to search my vessel for seals, and finding no evidence of the same, informed me that orders had been issued by the Secretary of the United States under the proclamation of the President, instructing the commanding officer of the said revenue cutter *Rush* to seize all vessels found sealing in Behring Sea; he also told me that should he again board me and find seal skins on board he would seize and confiscate the vessel and catch; he furthermore informed me that he had already seized the British schooner *Black Diamond*, of Victoria, British Columbia, and that she had been sent to Sitka, and that therefore, by reason of his threats and menaces, I was caused to forego my legitimate and peaceful voyage on the high seas and return to the port of my departure, causing serious pecuniary loss to myself, crew, and owners, for which a claim will be formulated and forwarded in due course. And I make this solemn affidavit, conscientiously believing the same to be true, and by virtue of the oaths ordinance 1869.

DANIEL M'LEAN,
Master of schooner Triumph.

Sworn before me this 8th August, 1889, at Victoria, British Columbia.

G. MORRISON, J. P.,
A Justice of the Peace for the Province of British Columbia.

No. 8.

Mr. Edwardes to Mr. Blaine.

BRITISH LEGATION,
Washington, October 14, 1889.

MY DEAR MR. BLAINE: When I had the honor to read to you on Saturday, the 12th instant, two dispatches addressed to me by the Marquis of Salisbury on the subject of the seizures of British sealers in Behring Sea, you inquired of me when I reached the passage which runs as follows, "Mr. Bayard did indeed communicate to us, unofficially, an assurance that no further seizures of this character should take place pending the discussion of the questions involved between the two Governments," if I could tell you in what way this assurance was unofficially communicated to Her Majesty's Government. I replied that I believed it had been so communicated in a letter addressed by Mr. Bayard to Sir Lionel West, and that that letter would be found in the printed correspondence on the subject which was laid before Congress this year.

I have since learnt that the assurance which Lord Salisbury had in mind when writing the dispatch I read was not that to which I referred in my reply to you, but was an assurance communicated unofficially to his lordship by the United States minister in London, and also by Mr. Bayard to Sir Lionel West in the month of April last year.

I have, etc.,

H. G. EDWARDES.

No. 9.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, January 22, 1890.

SIR: Several weeks have elapsed since I had the honor to receive through the hands of Mr. Edwardes copies of two dispatches from Lord Salisbury complaining of the course of the United States revenue cutter *Rush* in intercepting Canadian vessels sailing under the British flag and engaged in taking fur seals in the waters of the Behring Sea.

Subjects which could not be postponed have engaged the attention of this Department and have rendered it impossible to give a formal answer to Lord Salisbury until the present time.

In the opinion of the President, the Canadian vessels arrested and detained in the Behring Sea were engaged in a pursuit that was in itself *contra bonos mores*, a pursuit which of necessity involves a serious and permanent injury to the rights of the Government and people of the United States. To establish this ground it is not necessary to argue the question of the extent and nature of the sovereignty of this Government over the waters of the Behring Sea; it is not necessary to explain, certainly not to define, the powers and privileges ceded by His Imperial Majesty the Emperor of Russia in the treaty by which the Alaskan territory was transferred to the United States. The weighty considerations growing out of the acquisition of that territory, with all the rights on land and sea inseparably connected therewith, may be safely left out of view, while the grounds are set forth upon which this Government

rests its justification for the action complained of by Her Majesty's Government.

It can not be unknown to Her Majesty's Government that one of the most valuable sources of revenue from the Alaskan possessions is the fur-seal fisheries of the Behring Sea. Those fisheries had been exclusively controlled by the Government of Russia, without interference or without question, from their original discovery until the cession of Alaska to the United States in 1867. From 1867 to 1886 the possession in which Russia had been undisturbed was enjoyed by this Government also. There was no interruption and no intrusion from any source. Vessels from other nations passing from time to time through Behring Sea to the Arctic Ocean in pursuit of whales had always abstained from taking part in the capture of seals.

This uniform avoidance of all attempts to take fur seal in those waters had been a constant recognition of the right held and exercised first by Russia and subsequently by this Government. It has also been the recognition of a fact now held beyond denial or doubt that the taking of seals in the open sea rapidly leads to their extinction. This is not only the well known opinion of experts, both British and American, based upon prolonged observation and investigation, but the fact had also been demonstrated in a wide sense by the well-nigh total destruction of all seal fisheries except the one in the Behring Sea, which the Government of the United States is now striving to preserve, not altogether for the use of the American people but for the use of the world at large.

The killing of seals in the open sea involves the destruction of the female in common with the male. The slaughter of the female seal is reckoned as an immediate loss of three seals, besides the future loss of the whole number which the bearing seal may produce in the successive years of life. The destruction which results from killing seals in the open sea proceeds, therefore, by a ratio which constantly and rapidly increases, and insures the total extermination of the species within a very brief period. It has thus become known that the only proper time for the slaughter of seals is at the season when they betake themselves to the land, because the land is the only place where the necessary discrimination can be made as to the age and sex of the seal. It would seem, then, by fair reasoning, that nations not possessing the territory upon which seals can increase their numbers by natural growth, and thus afford an annual supply of skins for the use of mankind, should refrain from the slaughter in open sea where the destruction of the species is sure and swift.

After the acquisition of Alaska the Government of the United States, through competent agents working under the direction of the best experts, gave careful attention to the improvement of the seal fisheries. Proceeding by a close obedience to the laws of nature, and rigidly limiting the number to be annually slaughtered, the Government succeeded in increasing the total number of seals and adding correspondingly and largely to the value of the fisheries. In the course of a few years of intelligent and interesting experiment the number that could be safely slaughtered was fixed at 100,000 annually. The company to which the administration of the fisheries was intrusted by a lease from this Government has paid a rental of $50,000 per annum, and in addition thereto $2.62\frac{1}{2}$ per skin for the total number taken. The skins were regularly transported to London to be dressed and prepared for the markets of the world, and the business had grown so large that the earnings of

English laborers, since Alaska was transferred to the United States, amount in the aggregate to more than twelve millions of dollars.

The entire business was then conducted peacefully, lawfully, and profitably—profitably to the United States, for the rental was yielding a moderate interest on the large sum which this Government had paid for Alaska, including the rights now at issue; profitably to the Alaskan Company, which, under governmental direction and restriction, had given unwearied pains to the care and development of the fisheries; profitably to the Aleuts, who were receiving a fair pecuniary reward for their labors, and were elevated from semi-savagery to civilization and to the enjoyment of schools and churches provided for their benefit by the Government of the United States; and, last of all, profitably to a large body of English laborers who had constant employment and received good wages.

This, in brief, was the condition of the Alaska fur-seal fisheries down to the year 1886. The precedents, customs, and rights had been established and enjoyed, either by Russia or the United States, for nearly a century. The two nations were the only powers that owned a foot of land on the continents that bordered, or on the islands included within, the Behring waters where the seals resort to breed. Into this peaceful and secluded field of labor, whose benefits were so equitably shared by the native Aleuts of the Pribylov Islands, by the United States, and by England, certain Canadian vessels in 1886 asserted their right to enter, and by their ruthless course to destroy the fisheries and with them to destroy also the resulting industries which are so valuable. The Government of the United States at once proceeded to check this movement, which, unchecked, was sure to do great and irreparable harm.

It was cause of unfeigned surprise to the United States that Her Majesty's Government should immediately interfere to defend and encourage (surely to encourage by defending) the course of the Canadians in disturbing an industry which had been carefully developed for more than ninety years under the flags of Russia and the United States—developed in such manner as not to interfere with the public rights or the private industries of any other people or any other person.

Whence did the ships of Canada derive the right to do in 1886 that which they had refrained from doing for more than ninety years? Upon what grounds did Her Majesty's Government defend in the year 1886 a course of conduct in the Behring Sea which she had carefully avoided ever since the discovery of that sea? By what reasoning did Her Majesty's Government conclude that an act may be committed with impunity against the rights of the United States which had never been attempted against the same rights when held by the Russian Empire?

So great has been the injury to the fisheries from the irregular and destructive slaughter of seals in the open waters of the Behring Sea by Canadian vessels, that whereas the Government had allowed one hundred thousand to be taken annually for a series of years, it is now compelled to reduce the number to sixty thousand. If four years of this violation of natural law and neighbor's rights has reduced the annual slaughter of seal by 40 per cent., it is easy to see how short a period will be required to work the total destruction of the fisheries.

The ground upon which Her Majesty's Government justifies, or at least defends the course of the Canadian vessels, rests upon the fact that they are committing their acts of destruction on the high seas, viz, more than 3 marine miles from the shore-line. It is doubtful whether

Her Majesty's Government would abide by this rule if the attempt were made to interfere with the pearl fisheries of Ceylon, which extend more than 20 miles from the shore-line and have been enjoyed by England without molestation ever since their acquisition. So well recognized is the British ownership of those fisheries, regardless of the limit of the 3-mile line, that Her Majesty's Government feels authorized to sell the pearl-fishing right from year to year to the highest bidder. Nor is it credible that modes of fishing on the Grand Banks, altogether practicable but highly destructive, would be justified or even permitted by Great Britain on the plea that the vicious acts were committed more than 3 miles from shore.

There are, according to scientific authority, "great colonies of fish" on the "Newfoundland banks." These colonies resemble the seats of great populations on land. They remain stationary, having a limited range of water in which to live and die. In these great "colonies" it is, accoring to expert judgment, comparatively easy to explode dynamite or giant powder in such manner as to kill vast quantities of fish, and at the same time destroy countless numbers of eggs. Stringent laws have been necessary to prevent the taking of fish by the use of dynamite in many of the rivers and lakes of the United States. The same mode of fishing could readily be adopted with effect on the more shallow parts of the banks, but the destruction of fish in proportion to the catch, says a high authority, might be as great as ten thousand to one. Would Her Majesty's Government think that so wicked an act could not be prevented and its perpetrators punished simply because it had been committed outside of the 3-mile line?

Why are not the two cases parallel? The Canadian vessels are engaged in the taking of fur seal in a manner that destroys the power of reproduction and insures the extermination of the species. In exterminating the species an article useful to mankind is totally destroyed in order that temporary and immoral gain may be acquired by a few persons. By the employment of dynamite on the banks it is not probable that the total destruction of fish could be accomplished, but a serious diminution of a valuable food for man might assuredly result. Does Her Majesty's Government seriously maintain that the law of nations is powerless to prevent such violation of the common rights of man? Are the supporters of justice in all nations to be declared incompetent to prevent wrongs so odious and so destructive?

In the judgment of this Government the law of the sea is not lawlessness. Nor can the law of the sea and the liberty which it confers and which it protects, be perverted to justify acts which are immoral in themselves, which inevitably tend to results against the interests and against the welfare of mankind. One step beyond that which Her Majesty's Government has taken in this contention, and piracy finds its justification. The President does not conceive it possibie that Her Majesty's Government could in fact be less indifferent to these evil results than is the Government of the United States. But he hopes that Her Majesty's Government will, after this frank expression of views, more readily comprehend the position of the Government of the United States touching this serious question. This Government has been ready to concede much in order to adjust all differences of view, and has, in the judgment of the President, already proposed a solution not only equitable but generous. Thus far Her Majesty's Government has declined to accept the proposal of the United States. The President now awaits with deep interest, not unmixed with solicitude, any proposition for reasonable adjustment which Her Majesty's Gov-

ernment may submit. The forcible resistance to which this Government is constrained in the Behring Sea is, in the President's judgment, demanded not only by the necessity of defending the traditional and long-established rights of the United States, but also the rights of good government and of good morals the world over.

In this contention the Government of the United States has no occasion and no desire to withdraw or modify the positions which it has at any time maintained against the claims of the Imperial Government of Russia. The United States will not withhold from any nation the privileges which it demanded for itself when Alaska was part of the Russian Empire. Nor is the Government of the United States disposed to exercise in those possessions any less power or authority than it was willing to concede to the Imperial Government of Russia, when its sovereignty extended over them. The President is persuaded that all friendly nations will concede to the United States the same rights and privileges on the lands and in the waters of Alaska which the same friendly nations always conceded to the Empire of Russia.

I have, etc.,

JAMES G. BLAINE.

No. 10.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *February* 10, 1890.

SIR: Her Majesty's Government have had for some time under their consideration the suggestion made in the course of our interviews on the question of the seal fisheries in Behring's Sea, that it might expedite a settlement of the controversy if the tripartite negotiation respecting the establishment of a close time for those fisheries which was commenced in London in 1888, but was suspended owing to various causes, should be resumed in Washington.

I now have the honor to inform you that Her Majesty's Government are willing to adopt this suggestion, and if agreeable to your Government will take steps concurrently with them to invite the participation of Russia in the renewed negotiations.

I have, etc.

JULIAN PAUNCEFOTE.

No. 11.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, March 1, 1890.

MY DEAR SIR JULIAN: I have extracted from official documents and appended hereto a large mass of evidence, given under oath by professional experts and officers of the United States, touching the subject upon which you desired further proof, namely, that the killing of seals in the open sea tends certainly and rapidly to the extermination of the species. If further evidence is desired, it can be readily furnished.

I have, etc.

JAMES G. BLAINE.

[Inclosure.]

Memorandum.

From the official report made to the House of Representatives in 1889:

In former years fur-seals were found in great numbers on various islands of the South Pacific Ocean, but after a comparatively short period of indiscriminate slaughter the rookeries were deserted, the animals having been killed or driven from their haunts; so that now the only existing rookeries are those in Alaska, another in the Russian part of Behring Sea, and a third on Lobos Island, at the mouth of the river Plate in South America.

All these rookeries are under the protection of their several governments.

The best estimate as to the number of these animals on the Alaska rookeries places it at about 4,000,000; but a marked diminution of the numbers is noticed within the last two or three years, which is attributed by the testimony to the fact that unauthorized persons during the summers of 1886, 1887, and 1888 had fitted out expeditions and cruised in Alaskan waters, and by the use of fire-arms destroyed hundreds of thousands of these animals without regard to age or sex.

The law prohibits the killing of fur seals in the Territory of Alaska or the waters thereof, except by the lessee of the seal islands, and the lessee is permitted to kill during the months of June, July, September, and October only; and is forbidden to kill any seal less than one year old, or any female seal, "or to kill such seals at any time by the use of fire-arms, or by any other means tending to drive the seals away from those islands." (Revised Statutes, section 1960.)

Governor Simpson, of the Hudson Bay Company, in his "Overland Journey Round the World," 1841–'42, p. 130, says:

"Some twenty or thirty years ago there was a most wasteful destruction of the seal, when young and old, male and female, were indiscriminately knocked in the head. This imprudence, as any one might have expected, proved detrimental in two ways. The race was almost extirpated, and the market was glutted to such a degree, at the rate for some time of 200,000 skins a year, that the prices did not even pay the expenses of carriage. The Russians, however, have now adopted nearly the same plan which the Hudson Bay Company pursues in recruiting any of its exhausted districts, killing only a limited number of such males as have attained their full growth, a plan peculiarly applicable to the fur-seal, inasmuch as its habits render a system of husbanding the stock as easy and certain as that of destroying it."

In the year 1800 the rookeries of the Georgian Islands produced 112,000 fur-seals. From 1806 to 1823, says the Encyclopædia Britannica, "The Georgian Islands produced 1,200,000 seals, and the island of Desolation has been equally productive." Over 1,000,000 were taken from the island of Mas-á-Fuera and shipped to China in 1798–'99. (Fanning's "Voyages to the South Sea," p. 299.)

In 1820 and 1821 over 300,000 fur-seals were taken at the South Shetland Islands, and Captain Weddell states that at the end of the second year the species had there become almost exterminated. In addition to the number killed for their furs, he estimates that "not less than 100,000 newly born young died in consequence of the destruction of their mothers." (See Elliott's Rep., 1884, p. 118.)

In 1830 the supply of fur-seals in the South Seas had so greatly decreased that the vessels engaged in this enterprise "generally made losing voyages, from the fact that those places which were the resort of seals had been abandoned by them." (Fanning's Voyages, p. 487.)

At Antipodes Island, off the coast of New South Wales, 400,000 skins were obtained in the years 1814 and 1815.

Referring to these facts, Professor Elliott, of the Smithsonian Institution, in his able report on the Sea Islands, published by the Interior Department in 1884, says:

"This gives a very fair idea of the manner in which the business was conducted in the South Pacific. How long would our sealing interests in Behring Sea withstand the attacks of sixty vessels carrying from twenty to thirty men each? Not over two seasons. The fact that these great southern rookeries withstood and paid for attacks of this extensive character during a period of more than twenty years speaks eloquently of the millions upon millions that must have existed in the waters now almost deserted by them."

Mr. R. H. Chapel, of New London, Conn., whose vessels had visited all the rookeries of the South Pacific, in his written statement before the Committee on Commerce of the House of Representatives, said:

"As showing the progress of this trade in fur-seal skins, and the abuses of its prosecution, resulting in almost total annihilation of the animals in some localities, it is stated on good authority that, from about 1770 to 1800, Kerguelen Land, in the Indian Ocean, yielded to the English traders over 1,000,000 skins: but open competition swept off the herds that resorted there, and since the latter year hardly 100 per annum

could be obtained on all its long coast. Afterwards, Mas-á-Fuera Island, near Juan Fernandez, was visited, and 50,000 a year were obtained; but as every one that desired was free to go and kill, the usual result followed—the seals were exterminated at that island, and also at the Galapagos group, near by.

"Falkland and Shetland Islands, and South American coasts, near Cape Horn, came next in order; here the seal were very abundant. It is stated that at the Shetlands alone 100,000 per annum might have been obtained and the rookeries preserved, if taken under proper restrictions; but in the eagerness of men they killed old and young, male and female; little pups a few days old, deprived of their mothers, died by thousands on the beaches, carcasses and bones strewed the shores, and this productive fishery was wholly destroyed. It is estimated that in the years 1821 and 1822 no less that 320,000 of these animals were killed at the Shetlands alone. An American captain, describing in after years his success there, says: 'We went the first year with one vessel and got 1,200; the second year with two vessels, and obtained 30,000; the third year with six vessels, getting only 1,700—all there was left.'

"A small rookery is still preserved at the Lobos Islands, off the river La Plata; this, being carefully guarded under strict regulations by the Government of Buenos Ayres, and rented to proper parties, yields about 5,000 skins per annum. As late as the year 1854, a small island, hardly a mile across, was discovered by Americans in the Japan Sea, where about 50,000 seals resorted annually. Traders visited it, and in three years the club and knife had cleaned them all off. Not 100 a season can now be found there."

Hon. C. A. Williams of Connecticut, who inherited the whaling and sealing business from his father and grandfather, speaking of the seal in the South Pacific, gave the following testimony before the Congressional committee:

The history of sealing goes back to about 1790, and from that to the early part of this century.

In the earlier period of which I speak there were no seals known in the North Pacific Ocean. Their peculiar haunt was the South Atlantic. They were discovered by Cook, in his voyages, on the island of Desolation; by Widdall, in his voyages to the south pole, on the island of South Georgia and Sandwichland; and by later voyagers, whose names escape me, in the islands of the South Pacific Ocean. When the number of seals on those islands were first brought to the notice of British merchants, they pursued the hunting of these animals on the island of Desolation.

The most authentic authority we have about the matter is derived from reports made by these voyagers as to the number of seals taken from those places, and, although they are not entirely accurate, I think they are fully as accurate as could be expected, considering the lapse of time. On the island of Desolation it is estimated that 1,200,000 fur-seals were taken; from the island of South Georgia a like number were taken, and from the island of Mas-á-Fuera probably a greater number were taken. As to the Sandwichland the statistics are not clear, but there can be no doubt that over 500,000 seals were taken from that locality, and in 1820 the islands of South Shetland, south of Cape Horn, were discovered, and from these islands 320,000 fur-seals were taken in two years. There were other localities from which seals were taken, but no others where they were found in such large numbers.

* * * * * * *

The cause of the extermination of seals in those localities was the indiscriminate character of the slaughter. Sometimes as many as fifteen vessels would be hanging around these islands awaiting opportunity to get their catch, and every vessel would be governed by individual interests. They would kill every thing that came in their way that furnished a skin, whether a cow, a bull, or a middle-grown seal, leaving the young pups just born to die from neglect and starvation. It was like taking a herd of cattle and killing all the bulls and cows and leaving the calves. The extermination was so complete in these localities that the trade was exhausted, and voyages to those places were abandoned. About 1870, nearly fifty years after the discovery of the South Shetland Islands, when the occupation of Alaska by the cession of Russia to the United States of the Behring Sea was brought about——

The CHAIRMAN. I want to interrupt you to ask a question on that point. Were those rookeries in the South Seas never under the protectorate of any government at all?

The WITNESS. Never. I was going to say that when the cession was made by Russia to the United States of this territory, and the subject of the value of fur-seals, or the possible value, was brought to mind, people who had been previously engaged in that business revisited these southern localities after a lapse of nearly fifty years, and no seals were found on the island of Desolation. These islands have been used as the breeding place for sea-elephants, and that creature can not be exterminated on that island, for the reason that certain beaches known as "weather beaches"

are there. The sea breaks rudely upon these beaches, and it is impossible to land upon them. There are cliffs, something like 300 to 500 feet, of shore ice, and the sea-elephant finds a safe resort on these beaches, and still preserves enough life to make the pursuit of that animal worth following in a small way.

I have vessels there, and have had, myself and father, for fifty or sixty years. But this is incidental. The island of South Shetland, and the island of South Georgia, and the island of Sandwichland, and the Diegos, off Cape Horn, and one or two other minor points were found to yield more or less seal. In this period of fifty years in these localities seal life had recuperated to such an extent that there was taken from them in the six years from 1870 to 1876 or 1877 perhaps 40,000 skins.

Q. After they had been abandoned for fifty years?—A. Yes; to-day they are again exhausted. The last year's search of vessels in that region—I have the statistics here of a vessel from Stonington from the South Shetland Islands, reported in 1888, and she procured 39 skins as the total result of search on those islands and South Georgia.

One of my own vessels procured 61 skins, including 11 pups, as the total result of her voyage; and, except about Cape Horn, there are, in my opinion, no seals remaining. I do not think that 100 seals could be procured from all the localities mentioned by a close search. Any one of those localities I have named, under proper protection and restrictions, might have been perpetuated as a breeding place for seals, yielding as great a number per annum as do the islands belonging to the United States.

Now, the trade in those localities is entirely exhausted, and it would be impossible in a century to restock those islands, or bring them back to a point where they would yield a reasonable return for the investment of capital in hunting skins. That, in brief, completes the history of the fur-seal in the South Atlantic Ocean.

DANGER OF THE EXTERMINATION OF THE ALASKA ROOKERIES.

We have already mentioned that the present number of seals on St. Paul and St. George islands has materially diminished during the last two or three years. The testimony discloses the fact that a large number of British and American vessels, manned by expert Indian seal hunters, have frequented Behring Sea and destroyed hundreds of thousands of fur-seals by shooting them in the water, and securing as many of the carcasses for their skins as they were able to take on board. The testimony of the Government agents shows that of the number of seals killed in the water not more than one in seven, on an average, is secured, for the reason that a wounded seal will sink in the sea; so that for every thousand seal-skins secured in this manner there is a diminution of seal life at these rookeries of at least 7,000. Added to this is the fact that the shooting of a female seal with young causes the death of both. If the shooting is before delivery, that, of course, is the end of both; if after, the young seal dies for want of sustenance.

During the season of 1885 the number of contraband seal-skins placed on the market was over 13,000; and in 1886, 25,000; in 1887, 34,000; and in 1888 the number of illicit skins secured by British cruisers was less than 25,000, which number would have been largely increased had not the season been very stormy and boisterous. American citizens respected the law and the published notice of the Secretary of the Treasury, and made no attempt to take seals.

From this it appears that, during the last three years, the number of contraband seal-skins placed on the market amounted to over 97,000, and which, according to the testimony, destroyed nearly three-quarters of a million of fur-seals, causing a loss of revenue amounting to over $2,000,000, at the rate of tax and rental paid by the lessee of the seal islands.

LIMITATION: THE LESSEE FORBIDDEN TO KILL ANY FEMALE SEAL.

The following is an extract from the official report to Congress:

The lessee is permitted to kill 100,000 fur-seals on St. Paul and St. George Islands, and no more, and is prohibited from killing any female seal or any seal less than one year old, and from killing any fur-seal at any time except during the months of June, July, September, and October, and from killing such seals by the use of fire-arms or other means tending to drive the seals from said islands, and from killing any seal in the water adjacent to said islands, or on the beaches, cliffs, or rocks where they haul up from the sea to remain.

Further extract from report:

It is clear to your committee from the proof submitted that to prohibit seal killing on the seal islands and permit the killing in Behring Sea would be no protection; for it is not on the islands where the destruction of seal life is threatened or seals are unlawfully killed, but it is in that part of Behring Sea lying between the eastern and

western limits of Alaska, as described in the treaty of cession, through which the seals pass and repass in going to and from their feeding grounds, some 50 miles southeast of the rookeries, and in their annual migrations to and from the islands.

Extract from report of L. N. Buynitsky, agent of the Treasury in 1870, to Hon. George L. Boutwell, Secretary of the Treasury. It will be observed that this report was made in 1870, before any dispute had arisen with the Canadian sealers.

When the herd has been driven a certain distance from the shore a halt is made, and a sorting of the game as to age, sex, and condition of the fur is effected. This operation requires the exercise of a life-long experience, and is of the utmost importance, as the killing of females, which are easily mistaken for young males, even by the natives, would endanger the propagation of the species.

The same witness, when not an employé of the Treasury, gave testimony on another point in 1889:

Q. Where are those seals born? Where do the female seals give birth to their young?—A. They are born on the rookeries.

Q. Are they an animal or a fish, or what are they; how do you classify them?—A. They are hot-blooded animals born on the land; they are not a fish.

Q. And born on the United States territory, are they?—A. Yes; all those born on the islands of St. Paul and St. George.

Q. That is in United States territory?—A. Yes, sir. "Fisheries" is a misnomer all the way through, and always was.

H. A. Glidden, an agent of the Treasury Department, was on the Pribylov Islands from May, 1882, to June, 1885. In describing before the Congressional committee the mode of killing seals by the lessee of the islands the following occurred:

Q. Do they kill any females?—A. They never kill females. I do not know of but one or two instances in my experience where a female seal was ever driven out with the crowd.

* * * * * * *

Q. Do you believe seal life can be preserved without Government protection over them?—A. I do not.

W. B. Taylor, a Treasury agent, was asked the same question as to the killing of female seals, and he said that "he had never known but one or two killed by the leesee on the islands, and they by accident." He was further asked as follows:

Q. When they kill the seals in the waters, about what proportion of them do they recover?—A. I do not believe more than one-fourth of them.

Q. The others sink?—A. They shoot them and they sink.

Q. Have you ever noticed any wounded ones that came ashore that have been shot?—A. No, sir; I do not think I did.

The same witness testified as follows:

Q. You do not think, then, that the value of the seal fisheries and the seal rookeries could be preserved under an open policy?—A. No, sir; I do not. I think if you open it they will be destroyed without question.

Q. Do you think it necessary to protect the seals in the sea and down in their feeding grounds in the Pacific, if possible, in order to preserve their full value and the perpetuity of seal life? Do you think they ought to be protected everywhere as well as on the rookeries?—A. Yes, sir; I think they ought to be protected not alone on the rookeries but on the waters of the Behring Sea. I do not think it is necessary to go outside of the Behring Sea, because there is no considerable number of them.

Q. Are they so dispersed in the Pacific that they would not be liable to destruction?—A. Yes, sir; they are scattered very much, and no hunters do much hunting in the Pacific, as I understand. Another reason why they should be protected in all the waters of the Behring Sea is this: A large number of seals that are on the islands of course eat a great many fish every twenty-four hours, and the fish have become well aware of the fact that there are a good many seal on the seal islands, and they stay out a longer distance from the islands, and they do not come near the shore. It becomes necessary for the seal themselves, the cows, to go a good distance into the sea in order to obtain food, and it is there where most of the damage is done by these vessels. They catch them while they are out

Q. So on the rookeries they go out daily for food?—A. The cows go out every day for food. The bulls do not go; they stay on the island all summer. The cows go 10 and 15 miles and even farther—I do not know the average of it—and they are going and coming all the morning and evening. The sea is black with them around about the islands. If there is a little fog and they get out half a mile from shore, we can not see a vessel—100 yards even. The vessels themselves lay around the islands there where they pick up a good many seal, and there is where the killing of cows occurs when they go ashore. I think this is worse than it would be to take 25,000 more seal on the islands than are now taken. I think there is some damage done in the killing and shooting of the cows, and leaving so many young without their mothers.

Q. Is it your opinion that a larger number of seals may be taken annually without detriment to the rookeries?—A. No, sir; I would not recommend that. The time may come, but I think that one year with another they are taking all they ought to take, for this reason:

I believe that the capacity of the bull seal is limited, the same as any other animal, and I have very frequently counted from thirty to thirty-five and even, at one time, forty-two cows with one bull. I think if there were more bulls there would be less cows to one bull, and in that way the increase would be greater than now. While the number of seal in the aggregate is not apparently diminished, and in fact there is undoubtedly an increase, yet if you take any greater number of seal than is taken now, this ratio of cows to one bull would be greater, and for that reason there would be a less number of young seals, undoubtedly. I look upon the breeding of the seal as something like the breeding of any other animal, and that the same care and restriction and judgment should be exereised in this breeding.

The same witness testified as follows:

Q. What will be the effect upon the seal rookeries if this surreptitious and unlawful killing in the Behring Sea is to be permitted?—A. In my judgment it would eventually exterminate the seal.

Mr. C. A. Williams, of Connecticut, before referred to, testified as follows:

Q. I would like to know—I do not know that it is just the proper time—but I would like to get the idea of those conversant with the habits and nature of the seal as to what their opinion is upon the effect of the indiscriminate killing of them while they are coming to and going from the islands.—A. That is a question which I think most any of us here can answer. If you note the conformation of the Aleutian Islands, which form a wall, and note the gaps through which the seals come from the Pacific Ocean seeking the haunt on these islands, that is the whole point. When they come through these various passes, generally through the Oomnak Pass, the sea is reasonably shallow, and the cows come laden with pups, waiting until the last moment in the water to go ashore to deliver, because they can roll and scratch and help themselves better than if they haul out when heavy with pup, so they stay in the water playing about until their instinct warns them it is time to go ashore, and during that time they are massed in great quantities in the sea.

Q. Now, in that view of it, the destruction of them there is almost practically the same as the destruction of them on the islands?—A. Yes, sir.

Q. And the conditions are as bad?—A. Yes, sir; and often worse, for this reason: If you kill a pup you destroy a single life, but in killing a cow you not only destroy the life that may be, but the source from which life comes hereafter, and when they are killed there in the water by a shot-gun or a spear the proportion saved by the hunters is probably not one in seven. That was their own estimate: that out of eight shots they would save one seal and seven were lost. If they were killed on the land, those seven would go towards filling out their score.

The same witness also testified as follows:

Q. Have you instructed your agents to comply strictly with the laws and regulations of the Treasury Department?—A. In every case; yes.

Q. Do you kill seals with fire-arms at the islands, or do you prohibit that?—A. No, sir; never; it is not allowed by the act.

Q. Do you kill the female seals or allow them to be killed?—A. Never with our knowledge.

Q. Do you kill any during the month of August for their skins?—A. Not a seal; no.

Q. Do you kill any seals under two years old?—A. Not that we are aware of.

The same witness further testified:

Q. Now, I would like to have your opinion as to the insufficiency of the present measures taken by the Government for the protection of the rookeries, and your opinion as to whether any additional safeguards are necessary for their protection.—

A. That the present measures are somewhat insufficient is shown by the fact that for the last three or four years there have been increased depredations annually upon the rookeries. More seals are taken within the limits of the Behring Sea. Formerly seals were only taken outside of Behring Sea, as they passed up to British Columbia, and off the mouth of Puget Sound, in the waters of the Pacific Ocean. That was a legitimate place to take them, and one against which no objection could be raised. Seals which come up that way enter through the passages of the Aleutian Islands nearest to the mainland, and it has always been the custom in British Columbia and our Sound to intercept the seal and get what they could. Within the last two or three years marauders have followed them through the passages into Behring Sea, and have with guns and spears taken the seals as they lay upon the water, as I stated before, waiting to haul ashore and have their pups. The cows are heavy with pup, and they do not like to go ashore until the last moment, and so they lie there in the water, and this affords an opportunity for these marauders to shoot and spear them. This is done by gangs of Indians which they have. They hire gangs of Indians and take them with them. The effects of this shooting is not alone upon the seals which are at that point, but also upon those all around, and it startles them and raises a suspicion in their minds and there is a general feeling of disturbance, such as you notice among cattle when bears are about or something of that kind.

And again:

Q. Now, Mr. Williams, should it be finally ascertained and considered by our Government that under the treaty of cession by which we acquired Alaska from Russia, and under the laws of nations, the United States does possess and has absolute dominion and jurisdiction over Behring Sea and the waters of Alaska, would you think it would be a wise policy to adhere to and maintain that jurisdiction and dominion complete, or would it be wiser to declare it the high sea in the legal sense?—A. In the light of to-day I should say, keep what you have got.

Q. Hold it as a closed sea?—A. Fisheries within those limits are yet to be developed, and it would seem to be very unwise to open up possible fishery contentions which are very likely to arise by such a course.

Q. You think that it would be, then, the wiser policy, to maintain such jurisdiction and dominion as we have, and to concede to the vessels of other nations such rights as are not inconsistent with the interests which our nation has there and which need protection?—A. Exactly that; the right of transit through the sea wherever they please, but positive protection to seal life.

Q. You do not think it would be wise to grant anything else?—A. No, sir; not at all.

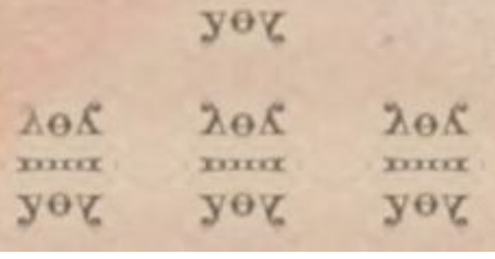
Q. And in no case to surrender the power of policing the sea?—A. No, sir; under no circumstances.

Q. Could that power and jurisdiction be surrendered and yet preserve this seal life on these rookeries and the value of our fisheries that may be developed there?—A. Only with very great risk; because, if that right is surrendered, and thereby the right to police the sea, the depredations that are made upon the seal wherever they may be found, wherever men thought they could carry them out without being taken in the act would be carried out. So it would be difficult in regard to the fisheries. Wherever they could kill these seals they certainly would be there, and it would be impossible to prevent them.

In the statements and statistics relative to the fur-seal fisheries, submitted by C. A. Williams, in 1888, to the Committee of Congress on Merchant Marine and Fisheries, appears the following:

Examination of the earliest records of the fur-seal fishery shows that from the date of man's recognition of the value of the fur the pursuit of the animal bearing it has been unceasing and relentless. Save in the few instances to be noted hereafter, where governments have interposed for the purpose of protecting seal life, having in view benefits to accrue in the future, the animal has been wantonly slaughtered, with no regard for age, sex, or condition. The mature male, the female heavy with young, the pup, dependent for life on the mother, each and all have been indiscriminately killed or left to die of want. This cruel and useless butchery has resulted in complete extermination of the fur-seal from localities which were once frequented by millions of the species; and, so far as these localities are concerned, has obliterated an industry which a little more enlightened selfishness might have preserved in perpetuity to the great benefit of all ranks of civilized society. Nothing less than stringent laws, with will power to enforce them against all violators, can preserve for man's benefit the remnant of a race of animals so interesting and so useful.

The most valuable "rookery," or breeding place, of these animals ever known to man is now in the possession of the United States. How it has been cared for in former years and brought to its present state of value and usefulness will be shown later on.



But the matter of its preservation and perpetuation intact is the important question of the moment, and that this question may be considered intelligently the evidence is here presented of the wanton destruction that has befallen these animals when left unprotected by the law to man's greed and selfishness, which, it is fair to say, is all that could be expected from the unlicensed hunter, whose nature seeks individual and immediate gain, with no regard for a future in which he has no assurance of personal advantage.

The following statistics are gathered from the journals of early navigators, and such commercial records as are now available are submitted:

Kerguelen Land.—An island in southern Indian Ocean, discovered about 1772. The shores of this island were teeming with fur-seal when it first became known. Between the date of its discovery and the year 1800 over 1,200,000 seal skins were taken by the British vessels from the island, and seal life thereon was exterminated.

Crozetts.—The Crozett Islands, in same ocean and not far distant, were also visited and hunted over and the seal life there totally exhausted.

Mas-á-Fuera.—An island in southern Pacific Ocean, latitude 38° 48′ south, longitude 80° 34′ west, came next in order of discovery, and from its shores in a few years were gathered and shipped 1,200,000 fur-seal skins.

Delano, chapter 17, page 306, says of Mas-á-Fuera:

"When the Americans came to this place in 1797 and began to make a business of killing seals, there is no doubt but there were 2,000,000 or 3,000,000 of them on the island. I have made an estimate of more than 3,000,000 that have been carried to Canton from thence in the space of seven years. I have carried more than 100,000 myself and have been at the place when there were the people of fourteen ships or vessels on the island at one time killing seals."

South Shetlands.—In 1821–'23 the South Shetland Islands, a group nearly south from Cape Horn, became known to the seal hunters, and in two years over 320,000 seals were killed and their skins shipped from these islands.

South Georgia.—Later still, seal were found on the island of South Georgia, South Atlantic Ocean, and from this locality were obtained over 1,000,000 of fur-seal, leaving the beaches bare of seal life.

Cape Horn.—From the coasts of South America and about Cape Horn many thousands of fur-seal have been taken, and of the life once so prolific there nothing is now left save such remnants of former herds as shelter on rocks and islets almost inaccessible to the most daring hunter.

This record shows the nearly complete destruction of these valuable animals in southern seas. Properly protected, Kerguelen Land, Mas á-Fuera, the Shetlands, and South Georgia might have been hives of industry, producing vast wealth, training-schools for hardy seamen, and furnishing employment for tens of thousands in the world's markets where skins are dressed, prepared, and distributed. But the localities were no man's land, and no man cared for them or their products save as through destruction they could be transmitted into a passing profit.

The seal life of to-day available for commercial purposes is centered in three localities:

(1) The Lobos Islands, situated in the mouth of the river La Plata, owned and controlled by the Uruguay Republic, and by that Government leased to private parties for the sum of $6,000 per annum and some stipulated charges. The annual product in skins is about 12,000. The skins are of rather inferior quality. Insufficient restrictions are placed upon the lessees in regard to the number of skins permitted to be taken annually, consequently there is some waste of life; nevertheless the measure of protection allowed has insured the preservation of the rookery, and will continue so to do.

(2) Komandorski Couplet, which consists of the islands of Copper and Behring, near the coast of Kamchatka, in that portion of Behring Sea pertaining to Russia. These islands yield about 40,000 skins per annum, of good quality, and are guarded by carefully restrictive rules as to the killing of seal, analogous to the statutes of the United States relative to the same subject. The right to take seals upon them is leased by the Russian Government to an association of American citizens, who also hold the lease of the islands belonging to the United States, and are thus enabled to control and direct the business in fur-seal skins for the common advantage and benefit of all parties in interest. These islands can hardly be said to have been "worked" at all for salted seal-skins prior to the cession of Alaska by Russia to the United States, and the United States Government now profits by the industry to the extent of the duty of 20 per cent. collected on the "dressed skins" returned to this country from the London market. From 1873 to 1887, inclusive, this return has been 121,275 skins.

(3) The Pribylov group consists of the islands of St. Paul and St. George, and is a Government reservation in that part of Behring Sea ceded to the United States by Russia, together with and a part of Alaska. So exhaustive an account of these islands and their seal life has been given by Mr. H. W. Elliott, special agent of

Treasury Department in 1874, and since intimately connected with the Smithsonian Institution, which account has been made a part of Tenth Census report, that it would be intrusive here to attempt to supplement aught, and therefore only generalizations based on said report and such statements of life and procedure on the islands to-day are presented as may be pertinent in this connection.

In an article on fur-seals, which appeared in Land and Water, July 14, 1877, Mr. Henry Lee (Englishman), F. L. S., says:

It has been stated that during a period of fifty years not less than 20,000 tons of sea-elephant's oil, worth more than £1,000,000, was annually obtained from New Georgia, besides an incalculable number of fur-seal skins, of which we have no statistics. Some idea may be had of their numbers in former years when we learn that on the island of Mas-á-Fuera, on the coast of Chili (an island not 25 miles in circumference), Captain Fanning, of the American ship *Betsy*, obtained in 1798 a full crop of choice skins and estimated that there were left on the island at least 500,000 seals. Subsequently there were taken from this island little short of a million skins. The seal catching was extensively prosecuted there for many years, the sealing fleet on the coast of Chili alone then numbering thirty vessels. From Desolation Island, also discovered by Cook, and the South Shetlands, discovered by Weddell, the number of skins taken was at least as great; from the latter alone 320,000 were shipped during the two years 1821 and 1822. China was the great market to which they were sent, and there the price for each skin was from $4 to $6. As several thousand tons of shipping, chiefly English and American, were at that time employed in fur-seal catching, the profits of the early traders were enormous.

Does the reader ask what has become of this extensive and highly remunerative southern fur trade? It has been all but annihilated by man's grasping greed, reckless improvidence, and wanton cruelty. The "woeful want" has come that "woeful waste" has made. Without thought of the future the misguided hunters persistently killed every seal that came within their reach. Old and young, male and female, were indiscriminately slaughtered, in season and out of season, and thousands of little pups not thought worth the trouble of knocking them on the head were left to die of hunger alongside the flayed and gory carcasses of their mothers. Every coast and island known to be the haunt of the seals was visited by ship after ship, and the massacre left unfinished by one gang was continued by the next comers and completed by others until, in consequence of none of the animals being left to breed, their number gradually diminished, so that they were almost exterminated, only a few stragglers remaining where millions were once found. In some places where formerly they gathered together in such densely packed crowds upon the shore that a boat's crew could not find room to land till they had dispersed them for a space with oars and boat-hooks, not one fur-seal was to be found even so long ago as 1835.

Dr. H. H. McIntyre, superintendent of the seal fisheries of Alaska for the lessees, testified before the Congressional committee as follows:

Q. What proportion of the seals shot in the water are recovered and the skins taken to market?—A. I think not more than one-fifth of those shot are recovered. Many are badly wounded and escape. We find every year embedded in blubber of animals killed upon the islands large quantities of bullets, shot, and buckshot. Last year my men brought to me as much as a double handful of lead found by them embedded in this way.

* * * * * * *

Q. I want to ask you whether or not the three-year-old seals, or many of them, which should have returned this year did not return because they had been killed?—A. That seems to be the case. The marauding was extensively carried on in 1885 and 1886, and in previous years, and of course the pups that would have been born from cows that were killed in 1885, or that perished through the loss of their mothers during that year, would have come upon the islands in 1888, and we should have had that additional number from which to make our selection this year. The deficiency this year is attributed to that cause—to the fact that the cows were killed. And I would say further that if cows are killed late in the season, *say in August*, after the pups are born, the latter are left upon the island deprived of the mother's care, and of course perish. The effect is the same whether the cows are killed before or after the pups are dropped. The young perish in either case.

* * * * * * *

Q, It being conceded that the islands are their home, and no one being interested other than the American and Russian Governments, there would be no special reason why other nations would object?—A. Only the Governments of the United States and England are interested in the Alaskan seal fisheries to any great extent. The United States is interested in it as a producer of raw material, and England as a manufact-

urer of furs. If these two nations were agreed that seal life should be protected, I think there would be no trouble in fully protecting it. It is a question of quite as much interest to England as to the United States, for she has a large number of skilled workmen and a large amount of capital engaged in this industry.

Professor Elliott, of the Smithsonian Institution, who has spent some time in scientifically examining the seal islands and the habits of the seal, thus describes the killing power of the seal hunter at sea:

His power to destroy them is also augmented by the fact that those seals which are most liable to meet his eye and aim are the female fur-seals, which, heavy with young, are here slowly nearing the land, soundly sleeping at sea by intervals, and reluctant to haul out from the cool embrace of the water upon their breeding grounds until that day, and hour even, arrives which limits the period of their gestation.

The pelagic sealer employs three agencies with which to secure his quarry, viz: He sends out Indians with canoes from his vessel, armed with spears; he uses shotguns and buckshot, rifles and balls, and last, but most deadly and destructive of all, he can spread the "gill-net" in favorable weather.

With gill-nets "underrun" by a fleet of sealers in Behring Sea, across these converging paths of the fur-seal, anywhere from 10 to 100 miles southerly from the Pribylov group, I am moderate in saying that such a fleet could utterly ruin and destroy those fur-seal rookeries now present upon the seal islands in less time than three or four short years. Every foot of that watery roadway of fur-seal travel above indicated, if these men were not checked, could and would be traversed by those deadly nets; and a seal coming from or going to the islands would have, under the water and above it, scarcely one chance in ten of safely passing such a cordon.

Open those waters of Behring Sea to unchecked pelagic sealing, then a fleet of hundreds of vessels, steamers, ships, schooners, and what not, would immediately venture into them, bent upon the most vigorous and indiscriminate slaughter of these fur-seals; a few seasons of greediest rapine, then nothing would be left of those wonderful and valuable interests of our Government which are now so handsomely embodied on the seal islands; but which, if guarded and conserved as they are to-day, will last for an indefinite time to come as objects of the highest commercial good and value to the world, and as subjects for the most fascinating biological study.

Shooting fur-seals in the open waters of the sea or ocean with the peculiar shot and bullet cartridges used involves an immense waste of seal life. Every seal that is merely wounded, and even if mortally wounded at the moment of shooting, dives and swims away instantly, to perish at some point far distant and to be never again seen by its human enemies; it is ultimately destroyed, but it is lost, in so far as the hunters are concerned. If the seal is shot dead instantly, killed instantly, then it can be picked up in most every case; but not one seal in ten fired at by the most skillful marine hunters is so shot, and nearly every seal in this ten will have been wounded, many of them fatally. The irregular tumbling of the water around the seal and the irregular heaving of the hunter's boat, both acting at the same moment entirely independent of each other, making the difficulty of taking accurate aim exceedingly great and the result of clean killing very slender.

Mr. George R. Tingle, United States Treasury agent in charge of the fur-seal islands from April, 1885, until August, 1886, testified as follows:

Q. It is Mr. McIntyre's opinion that they have not only not increased, but have decreased?—A. There has been a slight diminution of seals, probably.

Q. To what do you attribute that?—A. I think there have been more seals killed in the sea than ever before by marauders. I estimated that they secured 30,000 skins in 1887, and in order to secure that number of skins they would have had to kill half a million seals, while this company in taking 100,000 on shore destroyed only 31 seals. Those were killed by accident. Some times a young seal, or one not intended to be killed, pops up his head and gets a blow unintentionally.

Q. The waste of seal life was only 53 in 1887?—A. Yes, sir; in securing 100,000 skins, while these marauders did not kill last year less than 500,000. The logs of marauding schooners have fallen into my hands, and they have convinced me that they do not secure more than one seal out of every ten that they mortally wound and kill, for the reason that the seals sink very quickly in the water. Allowing one out of ten, there would be 300,000 that they would kill in getting 30,000 skins. Two hundred thousand of those killed would be females having 200,000 pups on shore. Those pups would die by reason of the death of their mothers, which added to the 300,000, makes half a million destroyed. I am inclined to think, because the seals show they are not increasing, or rather that they are at a stand-still, that more than 300,000 are killed by marauders.

Q. You are of the opinion, then, that the marauders are killing more seals than the

Alaska Commercial Company?—A. At least five or six times as many as the Alaska Commercial Company are killing.

Q. What will be the effect if more stringent measures are not taken to protect the seals by the Government?—A. If more stringent measures are not taken, it is only a question of time when these seals will be driven ultimately to seek some other home where they will not be molested. They will not continue to be harassed; and, if this marauding is continued, they will, in my opinion, either be gradually exterminated or will leave the islands permanently and land at some other place. They may go on the Russian side.

Q. Will marauding increase if the Government does not take steps to prevent it?—A. I think so.

Q. Is it practicable to prevent it?—A. Yes, sir. If we did not allow these cheeky, persistent, insolent, British Columbia seamen to go there and defy the United States and its authorities, it would very soon be stopped. When our revenue cutters seize the British schooners, the captains are very insolent and defiant, and claim that they have a strong government at their backs. I am now referring particularly to Captain Warner, of the *Dolphin*. He said in 1887, when captured, "We have got a strong government at our backs, and we will fight you on this question." "Very well," says Captain Shepherd, "I have got a strong government at my back, and I am going to do my duty. My government sends me to protect these seal rookeries. I am charged by this administration to enforce the law, and I will seize all marauders."

* * * * * * *

Q. You were speaking a while ago in regard to the amount of seal life destroyed by marauders, and that a captain had given the number of seals destroyed. Have you seen any of the log books of those vessels?—A. Yes, sir.

Q. Will you state what you remember with regard to the number of seals lost or captured by those vessels?—A. I remember reading the log-book of the *Angel Dolly*, which I captured. There was an entry in that log-book that read as follows: "Issued to-day to my boats, three hundred rounds of ammunition. At night they came in with the ammunition all expended, and one seal skin."

Q. They had shot three hundred rounds of ammunition?—A. Yes, sir. Another entry I saw was: "Seven seals shot from the deck, but only secured one." All lost but one. Another entry: "It is very discouraging to issue a large quantity of ammunition to your boats, and have so few seals returned." An entry was made in another place, where he gave it as his opinion that he did not secure one seal-skin out of every fifty seals wounded and killed.

Q. Have you seen seal-skins upon the island that had been shot?—A. Very often. We gather handfuls of shot every season.

Q. Does that injure the market value of the skins?—A. Undoubtedly. Any hole is an injury to the skin.

Extract from Mr. Tingle's report to the Treasury Department.

I am now convinced from what I gather, in questioning the men belonging to captured schooners and from reading the logs of the vessels, that not more than one seal in ten killed and mortally wounded is landed on the boats and skinned; thus you will see the wanton destruction of seal life without any benefit whatever. I think 30,000 skins taken this year by the marauders is a low estimate on this basis; 300,000 fur-seals were killed to secure that number, or three times as many as the Alaska Commercial Company are allowed by law to kill. You can readily see that this great slaughter of seals will, in a few years, make it impossible for 100,000 skins to be taken on the islands by the lessees. I earnestly hope more vigorous measures will be adopted by the Government in dealing with these destructive law-breakers.

William Gavitt, an agent of the United States Treasury, gave this testimony.

Q. I understand you to say—for instance, taking 1887 or 1888—that the 100,000 seals taken upon the islands, and the 40,000 taken and killed in the water, if no greater amount was taken, that there would be no perceptible diminution in the number of seal; that by the natural increase the company might take 40,000 more than now, if it were not for the depredations?—A. I had in mind an average between 25,000 killed in 1888 and about 40,000 in 1887.

Q. What I want to know is this: Is it your opinion that the number taken in the sea, when they are on the way from the islands to the feeding grounds, have a tendency to demoralize the seal and to break up their habits, their confidence, etc.?—A. It would be likely to do it. They are very easily frightened, and the discharge of fire-arms has a tendency to frighten them away.

By Mr. MACDONALD:

Q. No seals are killed by the company in this way?—A. No, sir; they are all killed on the islands with clubs.

Jacob H. Moulton, an agent of the Government, testified:

Q. Do you think it essential to the preservation of seal life to protect the seal in the waters of Alaska and the Pacific?—A. There is no doubt about it.

Q. The herd could be exterminated without taking them upon the islands?—A. They could be exterminated by a system of marauding in the Behring Sea, but I think the number killed along the British Columbia coast did not affect the number we were killing on the islands at that time, because there was apparently an increase during these years. There had been for five or six years up to that time. Since that time in Behring Sea the seal have been gradually decreasing.

Q. You think their decrease is attributable to unlawful hunting in Behring Sea?—A. There is no doubt of that.

Q. As a result of your observation there, could you suggest any better method of preserving seal life in Behring Sea than that now adopted?—A. Not unless they furnished more revenue vessels and men-of-war.

Q. So as to patrol the sea closely?—A. I think so. I do not think the seals scatter much through any great distance during the summer season, although very late in the summer the smaller seals arrive. The females, after giving birth to their young, scatter out in Behring Sea for food. We know they leave the islands to go into the water, because they are coming and going. They suckle their young the same as most animals.

Q. Lawless hunters kill everything they find, I believe, females or not?—A. Yes, sir.

Q. When a female is nursing her young and goes out for food and is killed or wounded, that results also in the death of her young?—A. Yes, sir. As her young does not go into the water, it does not do anything for some time, and can not swim and has to be taught.

Q. The seals are born upon those islands?—A. Yes, sir; they come there for that purpose. They come there expressly to breed, because if they dropped their young in the water the pup would drown.

Q. Do you think the value of the seals justifies the policy that the Government pursues for their preservation and protection?—A. Yes, sir; I do.

Q. And under a rigidly enforced system protecting seal life in the waters of these seas, do you think the herd could be materially increased?—A. I think it would. I think there is no doubt but what it would.

Edward Shields, of Vancouver Island, a sailor on board the British schooner *Caroline*, engaged in seal hunting in Behring Sea in 1886, testified, after the vessel was seized, that the 686 seals taken during the whole time they were cruising in the open sea were chiefly females.

Mr. H. A. Glidden, Treasury agent, recalled, testified as follows:

Q. From the number of skins taken you estimated the number killed?—A. That season I know there were thirty-five vessels in the sea, and we captured fifteen vessels. The catches of the vessels were published in the papers when they arrived home and averaged from 1,000 to 2,500 skins each.

Q. You estimate, then, that during the season 40,000 skins were taken? In killing them in the open sea they do not recover every seal they kill?—A. No, sir; I do not think they do. In fact, I know they do not, judging from the amount of shot and lead taken from the seals that are afterwards killed on St. Paul and St. George Islands.

Q. So that the destruction of the seals in the open sea would be much in excess of the number taken, probably?—A. I have no very accurate information on which to base an opinion, but I should judge that they lost from 40 to 60 per cent. of them. I saw a good many shot from the boats as I was approaching, and think they lost two or three out of five or six that I saw them shoot at.

Q. From your observations have you any recommendations or suggestions to offer, the adoption of which would lead to the better preservation of seal life in these waters than is now provided by law?—A. There is a difference of opinion as to the construction of the law. I firmly believe that the Government should either protect the islands and water in the eastern half of Behring Sea or throw up their interest there. If the Behring Sea is to be regarded as open for vessels to go in and capture seals in the water, they would be exterminated in a short time.

No. 12.

Sir Julian Pauncefote to Mr. Blaine.

[Extract.]

BRITISH LEGATION,
Washington, D. C., March 9, 1890.

DEAR MR. BLAINE: I have the pleasure to send you herewith the memorandum prepared by Mr. Tupper on the seal fishery question, to which he has appended a note by Mr. Dawson, an eminent Canadian official.

Believe me, etc.,

JULIAN PAUNCEFOTE.

[Inclosure 1.]

SYNOPSIS OF REPLY TO MR. BLAINE'S LETTER TO SIR JULIAN FAUNCEFOTE, OF MARCH 1, 1890.

	Page.
Mr. Blaine's reference to indiscriminate slaughter—note in point	29
Extraordinary productiveness of seals	29
Rookeries in South Pacific withheld extensive raids for years	29
None of Pacific fisheries ever equaled those of the Pribylov group	29
History of South Shetland Islands, and wholesale destruction thereon	29
Destruction at Mas-á-Fuera	29
Chapel of opinion that 100,000 a year could have been taken from the Shetlands under proper restrictions	29
Pups in thousands found dead on beaches	29
Incorrect statement in report of the House of Representatives as to rookeries of the world	30
Russian memorandum of July 25, 1888, enumerating rookeries	30
Cape of Good Hope rookeries, and the protection of same	30
Destruction on these rookeries formerly—plague—revival of rookeries under regulations.	
Seals shot—statement that 1 only in 7 is shot—contradicted by Canadian hunters	30
Mr. Elliott on unerring aim of Indian hunters	30
Practice of hunters	30
Statement of facts prior to and at time lease of islands to Alaska Commercial Co pany (1870)—lessees permitted to take 100,000 a year	30
Slaughter under Russian rule	30
Table showing catch 1817–'60	31
Undiminished condition of islands, 1868, though 6,000,000 taken 1841–'70	31
50,000 seals killed on the island of St. George in 1868	31
150,000 killed on the island of St. Paul during the same year	32
General onslaught—300,000 killed in 1869	32
Notwithstanding the above destruction, 100,000 a year might, Mr. Boutwell stated, be killed with protection in and around the islands	32
Mr. Dall of same opinion in 1870 (100,000 a year may safely be killed)	32
Tenure of lease allowed 100,000 a year—any male seal of one year or over—natives to kill pups for food	32
Opinion of committee of House of Representatives that seals require protection during migration, and for 50 miles southeast of rookeries whilst searching for food, which differs from Mr. Blaine's proposition	32
Mr. Glidden's testimony—merely his opinions, not based on practical knowledge	32
Mr. Taylor's testimony	32
On islands in 1881—as to seals' intelligence and hours for feeding.	
No bulls remain on islands all summer—writers and agents contradict this	32
Mr. Taylor admits that killing occurs inshore, where the sea is black with seals.	33
This witness, while stating that young pups are lost, does not instance finding dead pups on the islands—his admission that seals have not diminished.	
Chief damage due to insufficient protection of islands	33
Mr. Williams's testimony	33
No personal knowledge as to the seal—refers to want of protection on islands and danger of seals being taken when passing Aleutian Islands—increased depredations upon the rookeries for last three or four years.	

Page.

Mr. McIntyre, Government agent, afterwards a superintendent of the company. 34
Thinks one-fifth only of seals shot are recovered—found seals with shot—attributes deficiency of seals in 1888 to the fact that cows were killed—attempts to reduce estimate, as to number, of Elliott and Dall by one-half—large decrease in 1887, 1888—decrease since 1882, especially since 1884—considerable percentage of killed made up of males—40,000 skins in 1886 and 1887 taken in Behring Sea—this merely a surmise—80 or 90 per cent. of catch females—positive testimony of this witness on matters of opinion or hearsay—his statement that islands unmolested from 1870 to 1885 incorrect, as well as statement as to decrease from 1882 and 1884.
Mr. Elliott's testimony 34, 35
Report regarding him by Mr. Morris in 1879—Mr. Elliott's evidence before Congressional committee goes further than his previous writings—his statement regarding loss of wounded seals contradicted.
Mr. Tingle's testimony 35, 36
On islands 1885 to 1886—slight diminution probably—calculation of catch from entry in log of *Angel Dolly*—extraordinary log and extraordinary crew of *Angel Dolly*—Mr. Tingle contradicts Mr. McIntyre—increase since Mr. Eliott's count, 1876, 2,137,000—criticism of Mr. Elliott's statement *re* decrease, and points out that Mr. Elliott was not on the islands for fourteen years.
Mr. W. Gavitt's testimony 36, 37
On St. George Island, 1887, 1888—bad character of employés of company—no means of agents knowing of unlawful killing—no agent can say when seals are captured off the islands—lessees buy seals killed at Oonalaska—agents drawing two salaries, one from Government and one from the company.
Mr. Moulton's testimony, 1877, 1885 37
Increase in number of seals to 1882—decrease to 1885—opinion and evidence as to catch of mothers.
Edward Shields, sailor, as to catch of 686 seals, chiefly females—custom of hunters to class all skins of seals under those of mature seals as females 37
Mr. Glidden, recalled, based his estimate of 40,000 catch from newspapers 37
Inexperience of witnesses 37
No cross-examination of witnesses 37
The opinions of witnesses 37
Their opinions are substantially that females nursing go out for food—when away from islands are shot—greater part of catch in Behring Sea made up of females—many of the seals shot are lost.
Issue joined on these by Canadian Government. Seals can be protected and increased in number by (1) proper patrol of Islands, (2) killing of pups prohibited, (3) reduction of pups to be killed on islands, (4) limit of months for killing, (5) prevention of killing by Aleuts at the Aleutian Islands 37
Difference between House of Representatives committee and Mr. Blaine as to when injury began to islands—1886 or 1885 38
Important to show how insignificant catch of Canadian sealers compared with depredations successfully survived by islands 38
Depredations on islands and catch outside islands, 1870 38
1872 38
1874 38
1875 38
1876 38
1877 38
1878 38
1879 38
1880 38
1881 39
1882 39
1883 39
1884 39
1885 39
1886 39
None of the depredations were committed by Canadian sealers 40
Mr. Blaine refers to increase and profitable pursuit of industry down to 1886 .. 40
Present value and condition of islands better than ever 40
Comparative offers for lease of islands 1870–1890 40
Enormous rental and profits received by the United States from the islands ... 40
Receipts and expenses—$9,525,283 received by the United States in excess of purchase price of Alaska 40

Page.
Marvelous increase of seals in spite of depredations referred to 40
1869, 1,728,000; 1874, 4,700,000; 1884, increasing; 1885, no change, countless numbers; 1887, still on the increase; 1888, no change.
With total of 4,700,000 in 1874, Lieutenant Maynard of opinion 112,000 young male seals can be safely killed annually 41
Reference to Maynard's and Bryant's report as to habits of seals supports Canadian contention 41
Canadian Government contends few females in calf ever taken in sea 41
More females in a herd than males 41
Canadian contention supported by following facts: (1) Seals on rookeries still increasing: (2) old bulls go into water at end of rutting season and do not return to islands—Clark on males driving others off; (3) two-thirds of males not permitted to land at rookeries—occasional visits to land—yearlings arrive middle July—non-breeding male seals equal breeding seals (1,500,000)—bachelors not long on shore—females do not feed until young go into water 41, 42
Bulk of seals confined to island until ice surrounds islands 42
Never out until departure (*see* Mr. McIntyre's report, p. 48) 42
Bulls prevent mothers taking to water 42
Rookeries full to July 25, and remain in limits 42
No seals sick or dying on islands 43
Canadian contention supported by report on International Fisheries Exhibition (London, 1883)—nature has imposed a limit to their destruction 43
Mr. Elliott, in 1874, agrees with the above contention—the equilibrium of life regulated 43
Seals get their fish in North Pacific 43
Mr. McIntyre's report as to habits of seals, 1869 43
Seals take no food until their departure from islands in November 44
The duty of Government to patrol islands—Mr. Tingle in 1886 asks for cutters to patrol islands—Mr. Morgan recommends launches—Mr. Wardman alludes to inadequacy of protection to islands 44
Mr. Williams points out insufficiency of protection to islands 44
Mr. Taylor says, in 1881, the difficulty arises from the want of better protection—Mr. Glidden agrees 44, 45
Mr. Boutwell, Secretary of the Treasury, in 1870, conceived the duty of the Government was to efficiently guard "in and around the islands" 45, 46
The interests on behalf of a monopoly cause divergent views respecting the protection of seals 46
Mr. Bryant shows the value of the lease in conferring a monopoly—Mr. Moore illustrates this 46
When the company took less than 100,000 seals it did so because the market did not demand them 46
Mr. McIntyre shows that 800,000 were once thrown into the sea as worthless, when the market was glutted 47
Killer-whales and sharks the enemies of seals 47
Man's assaults at sea small in comparison to the natural enemies of the seal 47
Canadian system of hunting 47, 48
Mr. Elliott shows that if temporary diminution does occur on the islands of St. Paul and St. George, the missing seals are probably on the Russian islands 48

[Inclosure 2.]

Mr. Tupper to Sir Julian Pauncefote.

THE ARLINGTON,
Washington, March 8, 1890.

DEAR SIR JULIAN: I have the honor to inclose herewith a memorandum prepared by me in reply to the memorandum sent to you by Mr. Blaine, and which you handed to me upon the 3d instant.

I send you a copy for yourself, one for Mr. Blaine, and one for M. de Struvé, the Russian ambassador.

I also have the honor to forward herewith a valuable paper upon the subject, prepared hurriedly by the assistant director of the geological survey of Canada, George Dawson, D. S., F. G. S., F. R. S. C., F. R. M. S.

I may add that Dr. Dawson was in charge of the Yukon expedition in 1887.

Copies of his paper are also inclosed for Mr. Blaine and M. de Struvé.

I am, etc.,

CHARLES H. TUPPER.

[Inclosure 3.]

MEMORANDUM ON MR. BLAINE'S LETTER TO SIR JULIAN PAUNCEFOTE, DATED MARCH 1, 1890.

In the appendix to Mr. Blaine's letter of March 1, on the 3d page, is an extract from a report to the House of Representatives, as follows:

"In former years fur-seals were found in great numbers on various islands of the South Pacific Ocean, but after a comparatively short period of indiscriminate slaughter the rookeries were deserted, the animals having been killed or driven from their haunts."

While it is admitted that indiscriminate slaughters upon the rookeries are most injurious to the maintenance of seal life, it is denied that in the history of the fur-seal industry any instance can be found where a rookery has ever been destroyed, depleted, or even injured by the killing of seals at sea only.

Mr. Elliott, who is quoted by Mr. Blaine, admits that the rookeries in the South Pacific withstood attacks of the most extensive and destructive character for twenty years, when young and old males and females were indiscriminately knocked on the head upon their breeding grounds; and Mr. Clark (H. R. Report 3883, 50th Cong., 2d sess., p. 91) tells us that in 1820 thirty vessels on the islands (South Shetlands) took in a few weeks 250,000 skins, while thousands were killed and lost. In 1821 and 1822 320,000 skins were taken and 150,000 young seals destroyed. None of these islands, however, were ever frequented by the millions which have been found on the Pribylov group for over twenty years.

"These islands constitute the most valuable rookery or breeding place of these animals ever known to man. (H. R. Report 3883, 50th Cong., pp. 111, 112, Hon. C. A. Williams's written statement.)"

Professor Elliott (in his evidence, p. 142) mentions one person who, when with him at the islands, estimated the number at 16,000,000.

The report of the Congressional committee on the Alaska seal fisheries states that indiscriminate slaughter in the early part of the nineteenth century caused a desertion of the rookeries, and it goes on to say that in 1820 and 1821 300,000 were taken in an indiscriminate fashion at the South Shetlands, and, at the end of the second year, the species had there been almost exterminated.

The Hon. C. A. Williams, whose evidence is cited and relied upon by Mr. Blaine, supports this view (see p. 111, H. R. Report No. 3883, 50th Cong.); but, as a matter of fact, while seals are admittedly not so plentiful in South Shetlands as heretofore, owing to wholesale destruction on the breeding grounds, so prolific are they that, in 1872, 8,000 skins of "the choicest and richest quality were obtained from these islands. In the next season 15,000 skins were taken there, and in 1874 10,000 skins, and from 1870 to 1880 the sealing fleet brought home 92,756 fur-seal skins from the South Shetlands and the vicinity of Cape Horn and Terre del Fuego." (A. Howard Clark, p. 402, Commission of Fisheries, Fishery Industries United States, sec. 5, vol. ii, 1887.) In this regard, it may here be noted that this extract refers only to the catch of sealers which fitted out at New London, Conn., and does not embrace the operations of sealers from other countries.

Mr. Clark describes the manner in which the seals at Mas-á-Fuera were attacked. At page 407 of the article above cited he points out that between the years 1793 and 1807 3,500,000 seals were obtained from this island by English and American vessels, and in 1824 the island was "*almost* abandoned by these animals." Mr. Clark also shows that in 1797 there were only 2,000,000 on the islands, and yet in seven years more than 3,000,000 were carried from the islands to Canton, China.

Mention is made, too, of fourteen ships' crews on the island at one time killing seals. At page 408 mention is made of from twelve to fifteen crews on shore at the same time (American and English), and that "there were constantly more or less of ships' crews stationed here for the purpose of taking fur-seals' skins" —from 1793 to 1807.

It is contended by the Canadian Government that a reference to the history of this island is entirely beside the contention on the part of the United States that it is necessary to keep sealing craft hundreds of miles away from rookeries in order to preserve the seal life on the breeding grounds.

The cause of injury is the same in all the cases mentioned, and Mr. Chapel, in the appendix to Mr. Blaine's letter, now under consideration, at page 5 well says:

"It is stated that at the Shetlands alone [which never equaled the present condition of the Pribylov group, mentioned by Hon. C. A. Williams, already quoted] 100,000 per annum might have been obtained and the rookeries preserved if taken under proper restrictions; but, in the eagerness of men, old and young male and female seals were killed, and little pups a few days old, deprived of their mothers, died by thousands on the beaches—[it may here be observed that not a case of dead pups was ever found on the Pribylov group, so far as the reports on the islands show]—carcasses and bones strewed on the shores."

This statement, cited in the United States' case, is direct authority for the Canadian contention. It illustrates three important points:

(1) That indiscriminate slaughter on the breeding grounds is injurious and in time destructive.

(2) That when the mothers are killed, the young pups, dying in consequence, are found on the island.

(3) That regulations of the number to be killed on the island, with careful supervision, will maintain the rookeries independently of prohibiting sealing in the waters.

The report of the House of Representatives states:

"The only existing rookeries are those in Alaska, another in the Russian part of Behring Sea, and a third on Lobos Island, at the mouth of the river Plate, in South America."

The statement is incorrect. Important omissions occur, since the cases left out, when examined, show that, notwithstanding all of the extraordinary and indiscriminate slaughter of past years, it is possible, by careful supervision of the rookeries alone, and of the seals while on land, to revive, restore, and maintain lucrative rookeries.

Quoting from an extract from a Russian memorandum respecting the hunting of seals, communicated by M. de Staël to the Marquis of Salisbury, and dated July 25, 1888, it is found that other rookeries are by no means deserted. The extract reads as follows:

"The places where fur-seal hunting is carried on may be divided in two distinct groups. The first group would comprise Pribylov Islands, Behring Sea, 100,000 killed in 1885; Commander Islands (Behring and Copper Islands, 45,000; Seal Islands, Okhotsk Sea, 4,000); total, 149,000.

"The second group, the sea near the coast of Victoria, 20,000; Lobos Islands, 15,000; islands near Cape Horn and the South Polar Sea, 10,000; islands belonging to Japan, 7,000; Cape of Good Hope, 5,000; total, 57,000."

An important omission is the case of Cape of Good Hope, in reference to which the committee of the House of Representatives, previous to their report, had been informed (see H. R. Report 3883, 50th Cong., 2d sess., p. 114) that from the *Cape of Good Hope* islands, under protection of the Cape Government, a yearly supply of 5,000 to 8,000 skins is derived, and that from Japan, it was stated, sometimes 15,000 and sometimes 5,000 a year are received. These islands are now rigidly protected by the governments of the countries to which they belong; but neither does the Government of the Cape, of Japan, nor of Urugnay, in case of the Lobos Islands, consider it necessary to demand the restriction of the pursuit of seals in the open sea.

United States' vessels have visited the islands off the Cape of Good Hope from 1800 to 1835, and have taken on some days 500 to 700 skins, securing several thousands of skins annually. In 1830 Captain Gurdon L. Allyn, of Gale's Ferry, Conn., mentions finding a thousand carcasses of seals at one of the islands, the skins of which had been taken. He landed and took seals in considerable numbers. He was again on a sealing voyage on this coast in 1834, and shot seals on the rookeries.

In 1828 a plague visited these rookeries, and 500,000 seals perished during the plague (Clark in the report of the U. S. Com. of Fish and Fisheries, 1887, sec. v, vol. ii, pp. 415, 416), and yet to-day we find a renewal of the industry by regulations applied *solely* to the rookeries, and *exclusive* of the deep sea operations.

Upon page 7 of the appendix now under review, the report of the Congressional committee on Alaska seal fisheries refers to testimony of United States Government agents regarding the number of seals shot and not secured, and a calculation is referred to, to the effect that one in every seven is alone secured by the hunter who follows seals on the sea. The experience of Canadian hunters is directly opposed to this theory, and shows that a loss of 6 per centum is all that ever takes place, while Indian hunters seldom lose one. Solemn declarations to this effect have been made under the Canadian statute relating to extrajudicial oaths.

In confirmation of this, reference may be had to Mr. H. W. Elliott, in the United States Fish Commissioner's report, vol. ii, sec. v, p. 489, where he says:

"The Aleuts fire at the otter at 1,000 yards range, and that when hit in the head nine times out of ten the shot is fatal."

In the case of hunting the seals, the practice of the white hunters, all expert shots, is to paddle up to the seal while asleep in the water, shoot it in the head, and at once haul it into the boat; while the Indians approach it in a canoe and spear the seal, the head of the spear separating itself and being attached to a rope by which the seal is dragged into the canoe.

Reference is made on page 4 of the appendix to Mr. Blaine's letter to the limitations in the lease of 1870. These conditions, it is contended, are most inconsistent with the present view of the United States regarding the danger to the preservation of seal life. With respect to this the following facts should be carefully noted:

(1) Up to 1862 no law in Russia existed prohibiting or forbidding the killing of

seals, and in that year an inoperative law was promulgated. (See Russian memorandum, Mr. de Staël to Lord Salisbury, 25 July, 1888.)

Mr. McIntyre, a special agent of the Treasury Department (H. R. Ex. Doc. 36, 41st Cong., 2d. sess., page 18), records the catch taken from the Pribylov Islands under the Russian-American company as follows:

Table showing the number of fur-seals taken by the Russians on St. Paul and St. George Islands from 1817 *to* 1860.

Year.	Number of seals.	Year.	Number of seals.
1817	60,188	1840	*8,000
1818	59,856	1841	*8,000
1819	52,225	1842	10,370
1820	50,220	1843	11,240
1821	44,995	1844	11,924
1822	36,469	1845	13,637
1823	29,873	1846	15,070
1824	25,400	1847	17,703
1825	30,100	1848	14,650
1826	23,250	1849	21,450
1827	19,700	1850	6,770
1828	23,228	1851	6,564
1829	20,811	1852	6,725
1830	18,034	1853	18,035
1831	16,034	1854	26,146
1832	16,446	1855	8,585
1833	16,412	1856	23,550
1834	15,751	1857	21,082
1835	6,580	1858	31,810
1836	6,590	1859	22,000
1837	6,802	1860	21,590
1838	*6,000		
1839	*6,000	Total in forty-four years	765,687

*Approximative.

Referring to this table, Mr. McIntyre says:

"The number of seals on St. Paul Island is variously estimated at from 3,000,000 to 4,000,000, including all classes, and on St. George at about one-third as many. I think it may be safely stated that there are not less than 4,000,000 on the two islands. The table from the records of the late Russian-American Company, appended to this report, exhibits the number of seals taken from each island from 1817 to 1837, and from 1842 to 1860. Previously to 1817, says the late Bishop Veniamnoff, no records were kept. From the same authority we learn that during the first few years following the discovery of the islands in 1781 over 100,000 skins were annually obtained; but this, it seems, was too large a number, for the decrease in the yearly return was constant until 1842, when they had become nearly extinct, and in the next decade the whole number secured was 129,178, being in 1852 but 6,564; but from 1842, under judicious management, there appears to have been an increase, and in 1858 31,810 were taken, which was the largest *catch* in any one year, until 1867, when, as I am informed, some 80,000 or 100,000 were secured; under the supposition that the Territory would soon be transferred to the United States. 'The decrease from 1817 to 1838,' says Bishop Veniamnoff, 'averaged about one-eighth of the whole number annually, so that in 1834 there were produced on both islands, instead of 60,000 to 80,000, only 15,751, and in 1837, 6,802.' From the most careful computation I have been able to make, I am of the opinion that no more than 100,000—75,000 on St. Paul and 25,000 from St. George—can be annually taken without incurring the risk of again diminishing the yearly production, as we observe the Russians to have done in former years."

See also Wick, chief of land service, Russian-American telegraph expedition, who reported in 1868 on undiminished condition of the seal fishery (H. R. Ex. Doc. No. 177, 40th Cong., 2d sess.).

Six million seals had been taken from this sea between 1841 and 1870. (*Vide* Dall on Alaska and its resources, 1870, p. 492.)

(2) In 1868 Hutchinson and Morgan, the promoters and founders of the Alaska Commercial Company, and afterwards lessees of the islands, saw that, unless restrictions were imposed *upon the islands*, there would be ruin to the rookeries (H. W. Elliott, "Our Artic Province," pp. 247, 248); consequently, by act of Congress approved July 27, 1868, the killing of fur-seals *on the islands* was prohibited (W. H. McIntyre, special agent Treasury Department, H. R. Ex. Doc. No. 36, 41st Cong., 2d sess., p. 12). Notwithstanding the act to which reference has been made, 50,000 were

killed on St. George and 150,000 on St. Paul by traders in 1868 (Dall, p. 496), 100,000 in 1869 (W. H. McIntyre, H. R. Ex. Doc. No. 36, 41st Cong., p. 13).

Mr. Wardman, an agent of the United States Treasury at the Seal Islands, in his "Trip to Alaska," published 1884, on page 92, says:

"General onslaught, threatening extermination, by American vessels during the interregnum of departure of Russian and installation of United States Governments took place."

And the same officer, in his sworn testimony given before the Congressional committee, stated that 300,000 were killed in 1869.

(3) Notwithstanding this condition of affairs, Secretary Boutwell reported in 1870 (H. R. Ex. Doc. No. 129, p. 2, 41st Cong., 2d sess.) that "if the animals are protected, it is probable that about 100,000 skins may be taken each year without diminishing the supply," and that "great care was necessary for the preservation of the seal fisheries *upon the islands of St. Paul and St. George.*"

So Dall, in his book on Alaska (1870, p. 496), in referring to slaughter by Russians, believed that 100,000 seals could safely be killed annually under regulations, and Mr. Blaine, in his dispatch to Sir Julian Pauncefote of the 27th of January, says:

"In the course of a few years of intelligent and interesting experiment the number that could be safely slaughtered was fixed at 100,000 per annum."

Mr. Boutwell, as will be seen on reference to his report, was opposed to a lease, and remarked that it was necessary in any event to maintain *in and around* the islands an enlarged naval force for the protection of the same. This report was followed by the legislation under which a lease was executed in May, 1870.

(4) In drawing the terms of the lease and regulations concerning the islands the United States permitted, in the then state of affairs, the lessees to take 100,000 seals a year for twenty years, and they were permitted to make up this number from any male seals of one year of age or over.

(5) The natives were allowed to destroy on the islands pup seals of either sex for food, numbering in some years 5,000.

(6) The 100,000 could be killed by the lessees in the months of June, July, September, and October.

Upon page 8 of the appendix to Mr. Blaine's note the opinion of the committee of House of Representatives is given to the effect that the protection of the islands is not enough, but that the seals must be protected in their annual migrations to and from the rookeries, and for 50 miles southeast of the rookeries to their feeding grounds. This is a far different proposal from that submitted by the Secretary of State, since it does not embrace the whole of the Behring Sea, but locates the feeding grounds, so called, within 50 miles of the islands.

The other points, on page 8 of the appendix to Mr. Blaine's letter to Sir Julian Pauncefote of the 3d instant, need hardly be dealt with in discussing the necessity for a close season, reference being made therein to the sorting of the herd for killing on land so as not to kill the females. This is admittedly wise, since the killing is done June 14, when the pups are being dropped. The rest of page 8 of Mr. Blaine's memorandum raises the point that a seal is not a fish.

So on page 9 testimony is cited touching the necessity for not killing females on the rookeries, when wholesale slaughter of 100,000 a year goes on, and this is not here controverted. The opinion of Mr. Glidden, whose experience was confined to the *land operations*, regarding the proportion of seals recovered when shot in deep sea, can not be of weight. It is, therefore, unnecessary to dwell upon the fact that he is a Government employé, giving his views in favor of his Government's contention in 1888, after the seizures of 1885 had taken place. This officer was on St. George Island from the 25th of May to August in 1881 only. His opinion that an "open policy" would not preserve the value of the seal fisheries, and that it is necessary to protect the seals in Behring Sea, as well as on the islands, is not based upon much practical knowledge. He further stated that not much hunting was done in the Pacific.

Hon. Mr. Williams, at page 107 of evidence before the Congressional committee, says:

"Three miles beyond land (in Pacific) you do not see them; where they go no one knows."

The British Columbian sealers and the record of their catches in the Pacific for twenty years weakens the standing of these witnesses as experts.

Mr. Taylor, another witness, ascribes to the fish of Behring Sea a very high order of intelligence. He deposes that in Behring Sea the seals eat a great many fish every twenty-four hours, and as "the fish have become well aware of the fact that there is a good many seals on the seal islands, they keep far out to sea." He stands alone in testifying so positively to what can, at best, be a matter for conjecture, and he fails to show he had the slightest means of ascertaining this knowledge. He further stated that the bulls remain on the islands all summer.

This is contradicted by writers and other United States' witnesses, as will be seen hereafter. It is, therefore, evident that this gentleman was testifying simply to his

own peculiar theories regarding seal life upon very limited experience. He says, at one place, that while the cows are out (and they go, he tells us, 10 to 15 miles and even further) the sealers catch them; while, at another place he states:

"The sea is black with them *around the islands*, where they pick up a good many seal, and *there is where the killing of cows occurs—when they go ashore.*"

So that, evidently, he may have seen cows killed when *around the islands*, the only place at which he apparently could observe them, and he has merely conjectured the distance that they go from land and the number actually shot in deep water.

This witness "thinks there is some damage done in killing and shooting of the cows and leaving so many young without their mothers." There would be less doubt respecting the cows being shot or lost if it was satisfactorily shown that large numbers of young pups were found dead in the rookeries. The witness, if able, would have certainly pointed to this. The reverse, however, is the fact; and, with the exception of one witness before the Congressional committee, whose evidence will be examined again, not an agent of the Government nor a writer ever stated that pups were found dead in any numbers on the islands from loss of mothers; the fact being that mothers never go far from their young until the young are well able to care for themselves. This witness, notwithstanding his allusion to supposed damage by the killing of mothers, the killing of cows by vessels in shore—where the sea is black with them—had to admit, "the number of seal, in the aggregate, is not apparently diminished." His knowledge is confined to one year (1881), and we have better and undisputed testimony that long after this a great increase had taken place—an increase of millions. Mr. Taylor, it should be observed, however, gave other testimony than that quoted by Mr. Blaine. He said that—

"These predatory vessels are generally there (in Behring Sea) in the spring of the year when the cows are going to the island to breed * * * most of the seals that are killed by these marauding vessels are cows with young."

He estimates the number taken in 1881 at from 5,000 to 8,000.

"These vessels will take occasion to hang around the islands, and when there is a heavy fog to go on the rookeries very often."

The chief damage, according to Mr. Taylor, is not the killing of mothers out at sea when their young are on shore depending upon the return of *their mothers*, as is contended, but it is due, he says, to the insufficient protection of the island. This can, as will be pointed out, be remedied if the suggestions of Government agents are acted upon in the line of better police guarding of the rookeries.

Mr. Williams's testimony is next referred to on page 10 of the appendix to Mr. Blaine's letter. This gentleman was engaged in the whaling business for forty years (page 73 of evidence before Congressional committee). As regards fur-seals, his knowledge is not based upon experience, but "from reading and from conversation with my captains" (p. 73). He was called by request of attorney for the Alaska Commercial Company, of which Mr. Williams was a stockholder.

No importance, it is submitted, can be attached to his testimony regarding the habits and nature of the seal after such a frank confession.

His evidence that females in pup mass together in the sea before landing may therefore be dismissed, since he does not produce any authority for a statement which is contradicted by expert testimony. Neither is his statement that hunters admit that out of eight shots they would save one seal only correct.

On pages 11 and 12 of the appendix Mr. Williams naturally gives his views for holding the control over seal life in Behring Sea. It is not denied that every lessee of the Pribylov group would agree entirely with him in this. It may be remarked that he does not share the theory of the United States that the chief danger lies in killing the mothers when out in the deep sea for food, having left their nurslings on shore.

At pages 10, 11, and 12 of the appendix Mr. Williams is quoted to show that the danger to the females lies in the journey through the Aleutian Islands, with young, to the breeding grounds. On page 90 of his evidence before the committee, he illustrates the ineffective means of protecting the rookeries by stating:

"Last fall a schooner landed at one of the rookeries and killed 17 cows and bulls right on the breeding rookeries."

Again, at page 106 he says:

"That the present measures are somewhat insufficient is shown by the fact that for the last three or four years there have been increased depredations annually *upon the rookeries.*

"A revenue-cutter goes upon the grounds and then is ordered north for inspection, or for relief of a whaling crew, or something of that kind, and they are gone pretty much the whole time of the sealing season, and there appears to be insufficiency of the method of protection."

On page 108 he says:

"They shoot them as they find them. * * * A vessel can approach within less than half a mile or a quarter of a mile of the island and not be seen (on account of

fog), and can send her boats on the beaches and get off fifty or a hundred skins before the inhabitants can find it out."

Evidently Mr. Williams does not consider the shooting of females far from land is much indulged in, as he insists that the damage is done inshore, where no police protection is enforced.

The history of the rookeries, given on pages 12, 13, and 14 of the appendix, has been dealt with already in this paper.

On pages 14 and 15 of the appendix an article on fur-seals, from Land and Water, written in 1877 by a Mr. Lee, is referred to.

He merely alludes to the indiscriminate slaughter which was practiced on the rookeries, which no one defends or justifies.

Mr. McIntyre, superintendent of the seal fisheries of Alaska for the lessees, is then brought forward by Mr. Blaine.

This gentleman went to the island as a Government agent to inspect the operations of the company. His reports were favorable to and highly eulogistic of the company, and they were immediately followed by his resignation as a Government official and his appointment to a lucrative position under the company.

His testimony is naturally more in favor of the company and of the Government's contention, which is so directly in the interest of the company, than the testimony of any other witness.

He thinks only one-fifth of the seals shot are recovered, and his reason is that he has found seals with bullets in their blubbers on the islands. He attributes a deficiency in the number of seals in 1888 to the fact that cows were killed. He mentions that if cows are killed in August, and their young deprived of their mother's care, the young perish. The young perish also if the mother is killed before they are born. In this way he endeavors to represent such a practice obtains, but it is to be borne in mind that he does not go so far as to say that pups are found dead on the islands in any number. When this officer was reporting on the operations of the company, and before the present contention was raised, he gave a glowing account of the increasing numbers of seals at the islands, as will be shown; but at page 116 of the evidence before the Congressional inquiry he labors to reduce the estimates of both Elliott and Dall by one-third or one-half. He concludes that the number of seals has largely decreased in the last two years (1887 and 1888). The company, however, killed their 100,000 in each of these years. The Government had the discretion to reduce the limit. The Government did not deem it necessary to do so. The number, this witness says, was increasing until 1882, and then other parties began the killing of seals, "especially since 1884." All this told upon the rookeries, and, he added, "a considerable percentage" of the killing was made up of male seals (evidence, p. 117). Mr. McIntyre attempted to count the catch in 1886 and in 1887, and stated that 40,000 skins a year were taken, nearly all in Behring Sea water, and in a few instances by raids on the land. How he obtained this information is not shown. From his position on the island of St. Paul during all that time his statement is obviously a mere surmise.

He could only know *personally* of the catch from raids which were made on the *island* in 1886 and 1887, and which were due to ineffective protection of the islands. After telling us that a large percentage of the catch of the marauders was made up of adult males, he entirely forgets this, as we find him saying (at p. 118):

"A majority of the skins taken by marauders, in fact 80 or 90 per cent., are from females."

It is submitted that this witness, whose interest on behalf of the company (the lessees) is shown in his confession that it was at times necessary, in order to control the price in the markets, for the company to take less than 100,000 seals (evidence, p. 121) has not strengthened his testimony on the main point by speaking positively to the following, which could only have been known to him by hearsay:

(*a*) Russia destroyed marauding vessels.

(*b*) A British vessel in 1887 took 450 seals in Behring Sea, secreted them on a small island, left them, and returned to the sea for more.

(*c*) Marauders kill 100,000 each season.

(*d*) It is not true that vessels are seized when pursuing legitimate business.

He goes on to say that for the first fifteen years of the company's lease, viz, from 1870 to 1885, the lessees were unmolested (p. 129), which statement has been shown to be incorrect. He observed that since 1882, and especially since 1884, other parties have been destroying seals, "reducing the equilibrium of the sexes." As will be submitted hereafter, he has been contradicted in regard to this by expert writers, historians, travelers, and agents of the United States Government.

Mr. H. W. Elliott, whose experience is limited to 1872, 1874, and 1876, when, as Mr. McIntyre says, no injury was done by marauders, is next referred to by Mr. Blaine (page 16 of appendix). He is referred to as a member of the Smithsonian Institution; he was also a special agent of the Treasury. The following are extracts taken from

a "report upon the customs districts, public service, and resources of Alaska Territory," by W. L. Morris, special agent of the Treasury Department, 1879:

"In the November number of Harper's Magazine, 1877, appears an article entitled 'Ten years' acquaintance with Alaska, 1867-'77.' The authorship is correctly ascribed to Mr. Henry W. Elliott, now connected with the Smithsonian Institution in subofficial capacity. This gentlemen was formerly a special agent of the Treasury Department, under a special act of Congress, approved April 22, 1874, appointed for the purpose of ascertaining at that time the condition of the seal fisheries in Alaska, the haunts and habits of the seal, the preservation and extension of the fisheries as a source of revenue to the United States, with like information respecting the fur-bearing animals of Alaska generally, the statistics of the fur trade and the condition of the people or natives, especially those upon whom the successful prosecution of the fisheries and fur trade is dependent.

"This report of Mr. Elliott will be further noticed hereafter, and, upon the threshold of criticising anything he has written upon Alaska, occasion is here taken to give him full credit for his valuable contribution in regard to fur-seals. It is to be regarded as authority and well conceived. The views of Mr. Elliott, however, in reference to other matters of moment in the Territory are so diametrically opposed and antagonistic to my own that I feel constrained to review some of his statements, glittering generalities, and the wholesale method with which he brushes out of existence with his facile pen and ready artist's brush anything of any essence of value, light, shade, or shadow in the broad expanse of Alaska that does not conform precisely to the rule of investigation and recital laid down by himself, and which contradicts his repeated assurances that outside of the seal islands and the immediate dependencies of the Alaska Commercial Company there is nothing in Alaska.

"This magazine article bears a sort of semi-official indorsement, its authority is not denied, and with this explanation for using the name of Mr. Elliott in connection therewith a few of its crudities and nudities will be noticed."

"THE SENSE-KEEPER OF ALASKA.

"So little is known about Alaska that whenever any thing comes up in Congress relating to it information is sought wherever it can readily be found. The 'informant' is ever on hand, with his work on fur seals comfortably tucked underneath his left arm, to impart all the knowledge extant about the country, 'for he knows more about Alaska than any man living.'

"A decade has passed since we acquired this Territory, and for a decade it has afforded employment and subsistence for its present sense-keeper; but the next decade is warming into national existence, and it is about time this bubble was pricked and the bladder not quite so much inflated.

"I am fully aware of all the consequences to be dreaded, the responsibility assumed, when rash enough to dispute the heretofore self-established authority from the Arctic Ocean to the Portland Canal.

"This man seems to be the natural foe of Alaska, prosecuting and persecuting her with the brush of the pencil and the pen of an expert whenever and wherever he can get an audience, and I attribute the present forlorn condition of the Territory to-day more to his ignorance and misrepresentation than to all other causes combined. He is accused of being the paid creature and hired tool of the Alaska Commercial Company, and belonging to them body and soul. I have made diligent inquiry, and ascertain he is not in their employ, and furthermore they repudiate the ownership. They should not be held responsible for the indiscreet utterings of the sense-keeper, notwithstanding the charge of ownership might cause him to be more readily listened to.

"Doubtless when they have been attacked through the columns of the press they have employed this individual, who is unquestionably possessed with the *cacoethes scribendi* to reply to unjustifiable onslaughts, and paid him for it, as they would any other penny-liner who makes literature and writing for the press his profession."

His evidence in 1888 is open advocacy of the United States' contention. His writings and reports prior to the dispute will be referred to, and it will be submitted that his statements and experiences before 1888 hardly support his later theories. His statement on page 17 of the appendix, that wounded seals swim away to perish at a point never to be seen again is contradicted by the last witness, Mr. McIntyre, who picked handfuls of buckshot, etc., out of seals clubbed on the islands. His theory of the difficulty of shooting seals is contrary to the known practice of the hunters to creep upon the seal as it lies floating in the calm waters of the sea, and by his own testimony, before quoted, of the unerring aim of the Indian hunters.

Mr. Tingle, an agent of the Treasury, in charge of the fur-seal islands from April, 1885, to August, 1886, is quoted by Mr. Blaine (appendix, p. 17).

Mr. Tingle is not able to go so far as Mr. McIntyre, although he was at the islands in 1886 (evidence, p. 153), but he stated "there has been a *slight* diminution of seals,

probably." He estimated 30,000 were taken by marauders, and to do this he guesses that 500,000 were killed. This gentleman, as an agent of the Treasury, was confined to the islands during his tenure of office (evidence, p. 153).

He bases his contention on the log of a marauding schooner which fell into his hands. This log was, it may be remarked, not produced, and no excuse is given for withholding it. He produced what he said was a copy. As his opinions are based upon this curious statement, his testimony can hardly be seriously pressed. He testified to insolence of sealers when seized, though he does not appear to have been present at any of the seizures. The log-book, it should be observed, is said to have belonged to the *Angel Dolly*.

This is not the name of a Canadian sealer, and it may here be stated that no Canadian sealer has ever been found within the 3-mile limit. The operations on the schooner *Angel Dolly* must have been rather expensive, and they do not corroborate the allegation that large catches were made, since three hundred rounds of ammunition (Mr. Tingle said) were wasted for the capture of one seal. Another supposed entry in the log is most extraordinary for the captain of a sealer under any circumstances to make. The statement referred to is as follows:

"It is very discouraging to issue a large quantity of ammunition to your boats and have so few seals returned."

There is not a magistrate's court in the country that would listen to this oral testimony as to the contents of a log. A reference to this pretended log—a copy of a portion thereof only being produced by Mr. McIntyre (p. 332 of evidence)—shows that the captain had an exceptionally bad crew. The captain described them in the following terms: "The hardest set of hunters in Behring Sea;" *he* "never will be caught with such a crowd again; they are all a set of curs." The captain added, however, that if "we only had hunters we would be going home now with 1,500 skins at the very least;" and, from the log, it would appear that he had no regular hunters on board. It is worthy of remark that the statements made by Mr. Tingle respecting the entries in this alleged log are not confirmed by an inspection of the transcript Mr. McIntyre produces. (On p. 332 of evidence.)

Mr. Tingle contradicts Mr. McIntyre regarding the number of seals on the island. He states (p. 162, evidence) that there had been an increase of seals since Mr. Elliott's count in 1876 of 2,137,500. He expressed natural astonishment (p. 163) at the statement of Mr. Elliott regarding a decrease. He says:

"I am at a loss to know how Mr. Elliott gets his information, as he has not been on the islands for fourteen years."

Pushed by the chairman of the committee by the following question, viz, "It is Mr. McIntyre's opinion that they have not only not increased, but have decreased," the witness in reply stated that "there has been a *slight* dimunition of seals, *probably*."

The next authority quoted by the United States is William Gavitt, a special agent of the Treasury at St. George Island from May, 1887, to August, 1888. The evidence of this witness is not referred to at any length by Mr. Blaine. The witness testified before the Congressional committee, however, that the employés of the company (the lessees) did not respect the laws of God or man. He named particularly Mr. Webster, Doctor Luty, John Kirk, and John Hall (p. 180). And he added that the rules of the company were violated (p. 181). The committee handled this witness rather roughly, Mr. Jeffries saying to him (p. 188):

"You had better understand what you are talking about."

On page 191 he rebukes other officers of the Treasury who had testified positively to matters without the means of knowledge. The witness was asked:

"What was the result of your observations and opinions that you deem reliable in respect to the unlawful killing of seal annually?"

The witness answered that—

"We have *no means* of knowing that."

He was then pressed in this way:

"It is a mere matter of estimate, of course, but I wish it based upon as reliable information as you have."

When the witness said—

"I think the first season the revenue-cutter captured 15,000 stolen skins (p. 191); where they were stolen, *whether in the sea or out of it, no agent can truthfully say.*"

He also showed that the lessees of the islands were not so particular as other agents pretend, when he tells us (p. 191) that they brought from the natives at Oonalaska 5,000 seals killed by them there (p. 196). The United States puts forward this officer as a reliable witness, and it is therefore but fair to attach importance to a statement which weakens the force of the *ex parte* statement and opinion of the special agents sent from time to time to the islands, and who have now been brought forward on behalf of the United States as witnessess in support of a case which concerns not merely the Government, but most directly the lessees. The witness states that one of the employés of the company told him that when a Government officer came

there and got along with the company it was profitable. Upon being asked by the committee before whom he was giving evidence to explain, he replied that—

"A man could draw two salaries, like Mr. Falkner and Judge Glidden—one from the Government and one from the company." (P. 191.)

Mr. Moulton's evidence is next presented (p. 19 of appendix). He was a Government agent from 1877 to 1885. He said that there was an apparent increase during the first five years, *i. e.*, to 1882, then a decrease to 1885. (Evidence, p. 255.) In this statement he has been contradicted by official reports, as will be shown.

The witness admits, however, that female seals, after giving birth to their young, *scatter* out in Behring Sea; and he is of opinion that lawless hunters kill all they find, and that they find mothers away from their nurslings. No special reason for this opinion is given, however.

A sailor, Edward Shields, of Vancouver, formerly on the sealing schooner *Caroline,* is said to have testified, where and when it is not stated (p. 20 of appendix to Mr. Blaine's letter), that in 1886 out of 686 seals taken by the *Caroline* the seals were chiefly females. Upon this it may be said that it is the custom among hunters to class all seals the skins of which are the size or near the size of the female as "females," for their guidance as to the quality of skins in the catch. It may also be remarked that it does not appear that these females were in milk, and this is always known when skinning the seal. "Dry cows" are caught, as has been admitted, and taking this evidence, given *ex parte* as it was, it is at best, if true, an exceptional case in a very small catch.

Mr. Glidden was recalled by the committee, and explained that his estimate of 40,000 skins was based on newspaper reports of the catch of the sealers. He was, of course, unable to show how many of these were taken near the Aleutian Islands, in the North Pacific, or on the west coast of British Columbia, or in the Puget Sound, but he evidently credits the whole estimated catch to Behring Sea. Consequently he was of opinion that sealing in Behring Sea should be ended, to lead to the better preservation of seal life.

It is to be observed that not one of these witnesses, whose opinions are relied upon both as to the catch, the habits, and sex of the seal in deep water and the method of shooting, etc., has had any experience as a hunter or with hunters. They were not experts. They were sent to the islands to see that the lessees performed their obligations as covenanted in the lease. The experience of most of them was limited to a few years' residence on the seal islands, associated with and under the natural influence of a company admittedly a monopoly and desirous of restricting the catch so as to control the market of the world as far as seals are concerned.

None of the witnesses were, moreover, submitted to a cross-examination, and they were to a large extent led by the examiners in the questions put to them. The only facts that were possibly within their knowledge relate to seal life on the islands, to the mode of killing, and to the times when killed there, and to their habits when in and upon the rookeries.

The opinions of the gentlemen given before the Congressional committee in 1888 for the most part, though sometimes contradictory, are in favor of the under-mentioned theories:

(1) That the female seals while nursing their young go great distances in search of food.

(2) That when out a great distance female seals are shot, and the pups on shore are lost for want of their mothers' care.

(3) That the greater part of the catch in Behring Sea is made up of female seals.

(4) That the destruction of the seals when hunted on the sea is great in consequence of many wounded seals being lost.

All of these opinions are put forward in support of the main proposition of the United States, viz, that since 1882, and especially since 1884, the number of seals usually collecting on the breeding ground has constantly diminished.

The Canadian Government joins issue upon this, and the counter assertion is made that there has been no appreciable diminution of seals frequenting the rookeries, and it is claimed that the seals are more numerous and more valuable upon the rookeries to-day than ever in their previous history; that this is the fact notwithstanding the rookeries have been for twenty years practically unprotected from frequent and most dangerous raids upon the actual breeding grounds and many other injuries, all within the control of the Government of the United States, as hereinafter specified:

The Canadian Government asserts that the seal life upon the islands can not only be maintained, but greatly increased, by the adoption on the part of the United States of—

First. An efficient means for the patrol and protection of the islands.

Second. By the prohibition of the killing of pups by the natives for food.

Third. By reducing the number of yearling seals to be killed by the lessees.

Fourth. By not permitting any killing of seals upon the islands, except in July, August, and September.

Fifth. By preventing the Aleuts from killing seals on their migration through the Aleutian Islands on their way to and from the breeding grounds.

In Mr. Blaine's dispatch to Sir Julian Pauncefort, of the 27th of January, 1890, he proceeds upon a somewhat different ground than the evidence already reviewed, in order to show the necessity for prohibition of sealing in the waters of Behring Sea.

The *ex parte* evidence before the Congressional committee satisfied that committee that "the present number of seals on St. Paul and St. George Islands has materially diminished during the last two or three years," viz., from 1886 to 1889, while Mr. McIntyre, whose evidence is so much relied upon by the United States, dates the decrease from 1882.

Mr. Blaine, however, adopts the view that the rookeries were in prime condition and undiminished until 1885, when, as he says, Canadian sealers made their advent into Behring Sea and the injury began.

It is therefore important to point out that the operations of the Canadian sealers were absolutely harmless compared with the numerous depredations upon the islands for the last century, which, however, have not yet begun to affect the value and number of seals on these wonderful rookeries.

Already evidence has been cited in this paper establishing the fact that extraordinary slaughter occurred prior to 1870, and that after all this, when the total number of seals on St. Paul and St. George Islands was admittedly less than now, it was deemed safe to permit 100,000 male seals of one year or over to be killed annually for twenty years, etc.

In 1870 Collector Phelps, of San Francisco, reported:

"I am assured the entire number taken south of the islands of St. George and St. Paul will aggregate, say, 10,000 to 20,000 per annum." (H. R. Ex. Doc. No. 35, 44th Cong., 1st sess.)

The Acting Secretary of the Treasury Department, in September, 1870, gave permission to the company to use fire-arms *for protection of the islands against marauders.* (H. R., 44th Cong., 1st sess., Ex. Doc. 83, p. 30.)

In 1872 Collector Phelps to Mr. Secretary Boutwell reports expedition fitting out in Australia and Victoria for sealing in Behring Sea with the object of capturing seals on their migrations to and from St. Paul and St. George Islands. Secretary Boutwell did not consider it expedient to interfere with these operations if they were carried on 3 miles from land.

In 1874 Mr. Secretary Sawyer, writing to Mr. H.W. Elliott, referred to British vessels taking fur-seals in United States waters and to the seals becoming more numerous.

In 1875 Mr. William McIntyre, an assistant agent of the Treasury, describes having been told that the crew of the schooner *Cygnet*, as she lay at anchor in Zapadnee Bay in 1874, were shooting seals from the deck, skinning them, and throwing the carcasses overboard, which was alarming the seals and driving them from their breeding grounds. And he said:

"I wished to give the captain of the vessel timely warning before proceeding to harsh measures. I had armed the natives with the intention of repelling by force any *attempts to kill seal on the rookeries or within rifle-shot of the shore*, if the crews still persisted in doing so after the receipt of my letter to the captain."

He described the operations of the *Cygnet* under the cliff near the rookery, which alarmed the seals so that they left the rookery in large numbers. (Ex. Doc. No. 83, p. 124, 44th Cong., 1st sess.)

This vessel is again reported by Special Agent Bryant in May 12, 1875. (Ex. Doc. 83, p. 125, 44th Cong., 1st sess.)

From 1874 to 1878 Mr. F. J. Morgan, attorney for the Alaska Company, was on the islands during the years 1868, 1869, and from 1874 to 1878. He speaks of several raids upon the islands in his time, and he says the whole question is *one or more cruisers to protect the rookeries on the islands.* (H. R. Ex. Doc. 3883, 50th Cong., pp. 58, 71, 109.)

In 1875 the evidence of Darius Lyman contains the following information. (Report, Committee on Ways and Means, House report No. 623, 44th Cong., 1st sess.)

Answering Mr. Burchand as to what he knew about the seizure of the *San Diego*, Mr. Lyman replied:

"There was a seizure made of the *San Diego*, a schooner, near St. Paul Island on the 27th of July last (1875), on board of which were 1,660 fur-seal skins. The *San Diego* was sent down to California, and arrived there in August."

On page 73 of the same report, Mr. Elliott, in answer to Mr. Chapin, says that the skins taken from the *San Diego* were from *Otter Island*, one of the leased group.

In 1880 Mr. McIntyre reported the estimated annual slaughter of 5,000 pregnant females on the British Columbia coast.

From reports of Special Agent Ottis and Captain Bailey respecting the people of Alaska and their condition (Senate Ex. Doc. 132, 46th Cong., 2d sess., vol. 4, p. 4), Captain Bailey says:

"During April and May all the coast Indians, from the mouth of the straits of Fuca to the north end of Prince of Wales Island, find profitable employment in taking fur-

seals which seem to be making the passage along the coast to the north, being probably a portion of the vast number that finally congregate at the Seal Island later in the season. I am informed by the Indians that most of the seals taken along this coast are females, and their skins find a market at the various Hudson Bay posts."

On page 34 of the same report, in a list of the vessels boarded, he gives the United States schooner *Loleta*, Dexter master, seized at the seal islands by Special Agent Ottis.

In a report by Special Commissioner Ivan Petroff in the year 1880, he says:

"As these seals pass up and down the coast as far as the Straits of Fuca and the mouth of Columbia River, quite a number of them are secured by hunters, who shoot or spear them as they find them asleep at sea. Also small vessels are fitted out in San Francisco, which regularly cruise in these waters for the purpose alone of shooting sleeping seal." (H. R. Ex. Doc. No. 40, 46th Cong., 3d sess., vol. 18, p. 65.)

At page 61 of the same report this officer speaks of the natives securing 1,200 to 1,400 young fur-seals *in transitu* through Oonalga Pass.

Special Agent D. B. Taylor, in 1881, states that the company was powerless to protect the islands, but *that if a harbor was built and a steam-launch stationed at each island they could be protected.* He states that vessels *go to the islands and kill* 10,000 *to* 15,000 *a year, and that one hundred vessels have been prowling about these islands for twenty years.* (H. R. Ex. Doc. No. 3883, 50th Cong., p. 58.)

Mr. Treasury Agent H. A. Glidden, who was on the islands from 1882 to 1885, shows that the trouble is at *the islands.* The hunters go there on moonlight nights. He stated that he took possession of a vessel while the crew were on shore killing seals. The Government, he goes on to say, did not keep vessels there in his time, and he recommended that a revenue cutter should be kept there to guard the islands. (H. R. Ex. Doc. 3883, 50th Cong., p. 28.)

Prior to the decision of the United States to arrest vessels outside the 3-mile limit in Behring Sea experience had shown that the police force at the islands could not protect them from raids. This is illustrated in a letter from the Secretary of the Treasury, Mr. W. McCulloch, dated the 24th of February, 1885, wherein he recommends that $25,000 be obtained for the protection of seals and the enforcement of the laws.

"The seal fisheries"—

He states—

"yield annually to the Government a revenue of about $300,000. The islands on which the seals are taken are protected from incursions of marauding vessels alone through the cruising of the revenue-cutters. Last year the officers of the *Corwin* seized a schooner engaged in taking seals unlawfully. Without the use of cutters the fur-seal industry has no protection."

The letter closes by asking for $25,000 "in the estimates for next year." (H. R. Ex. Doc. 252, 48th Cong., 2d sess., vol. 29.)

September 1, 1884, the Hamburgh schooner *Adele* was seized for violation of section 1956, Revised Statutes United States.

In 1884 Captain McLean, master of the schooner *Mary Ellen*, was in Behring Sea from the 8th of July to the 22d of August. He took 2,007 seals, and was not interfered with. (See his declaration under act for the suppression of extrajudicial and voluntary oaths.)

Mr. George Wardman, an officer of the United States Government, was at the seal islands May, 1885. He was also there in 1879, and, in addition to his evidence before the Congressional committee, he has reported to his Government and has written a book upon Alaska and Behring Sea, "Wardman's Trip to Alaska," published in 1884. At page 116 of this is given an account of the raiding of Otter Islands and the consequent request for a revenue-marine guard at that place during the sealing season, which was granted.

In 1885 Captain McLean again visited Behring Sea in the *Mary Ellen.* He was there from the 4th of July to the 3d of September. He took 2,300 seals, and was not interfered with.

Captain Healy, in reporting on the cruise of the *Corwin* in the Behring Sea, in 1885, when speaking of the seal fisheries, said:

"During the year quite a number of vessels have raided Alaskan waters for seals and other fur-bearing animals." (H. R. Ex. Doc. No. 153, 49th Cong., 1st sess., vol. 32.)

In 1886 the governor of Alaska, in his report for that year (p. 43), states that an indiscriminate slaughter was carried on *previous* to the seizures of 1885.

In 1886 Special Agent Tingle, to Secretary Fairchild, congratulated the Government on the arrest of the *San Diego*, which he called "an old offender." "This," Mr. Tingle remarked, "will do much to break up marauding business *around the islands.*" He further urged the Government to keep a cutter *about the islands* from July 1 to the 1st of November.

The above references, it is submitted, establish conclusively the defenseless con-

dition of the islands from the depredations of the marauders or poachers upon the rookeries (not one being a Canadian) ever since the islands came into the possession of the United States.

Mr. Blaine, in his dispatch of the 27th of January, 1890, remarks that—

"Proceeding by a close obedience to the laws of nature, and rigidly limiting the number to be annually slaughtered, the Government succeeded in increasing the total number of seals and adding correspondingly and largely to the value of the fisheries."

And in the same dispatch he speaks of the profitable pursuit of this business down to the year 1886.

To show that at the present time the value of the islands is greater and their condition is better than ever, it is only necessary to observe that while the late lessees paid to the Government of the United States an annual rental of $50,000 in addition to $2.62½ per skin for the total number taken, the offers, when the islands were put up for competition in 1890, were enormously exceeded, as will be seen on reference to a schedule of the proposals submitted to the United States' Treasury Department in response to the advertisements of the Treasury inviting offers for the privileges, dated December 24, 1889, and February 20, 1890.

Upon reference to the evidence before the Congressional committee (H. R. No. 3883, 50th Cong., 2d sess.), it will be seen that "the Government now, *without any care or risk*, gets $317,000 a year for the lease." And at page 99 of the same report it is stated that the annual income from skins to the Government was $512,736, and that in sixteen years the United States' Government received from the Alaskan fur-seal industry $8,203,776.

It is further stated that the Government had then already been repaid the capital sum paid for the whole Territory of Alaska, and more, with "her many varied, and, as I believe, incomparably great national resources, to represent the investment of capital first made."

"FIFTH.—THE RECEIPTS AND EXPENSES OF THE GOVERNMENT ON ACCOUNT OF SAID CONTRACT.

"The total amount paid by the lessees on account of said contract up to June 30, 1888, inclusive, was $5,597,100. The total amount expended by the Government during the same period was about $250,000 for salaries and traveling expenses of agents of the Treasury Department at the seal islands, and about $150,000 for the revenue-cutters cruising Alaskan waters.

"To the amount already received direct from the company should be added the sum received by the United States from customs duties on Alaskan dressed seal-skins imported from Europe, amounting to $3,426,000, to which should be added the sum of $502,000 customs duties on imported seal-skins taken by said company under its contract with Russia, making an aggregate amount received by the Government on account of this industry of $9,525,233, being $2,325,283 in excess of the amount paid to Russia for the Territory" (Report of Congress, 1888.)

It can now be shown how marvelous has been the increase of seals on these islands, notwithstanding the absence of the protection to the rookeries and 3-mile limit, whether around the islands or at the different passes in the Aleutian range, where the breeding seals in pup go twice a year.

In 1869 Special Agent Bryant estimated the number of seals to be as follows (41st Cong., 3d sess., No. 32, Senate, p. 7):

On St. Paul Island	1,152,000
On St. George Island	576,000
Total	1,728,000

In 1874 Mr. Elliott, after examination, estimated the number of seals to be:

On St. Paul Island	3,030,000
On St. George Island	163,420
Total	3,193,420

Exclusive of non-breeding seals, and adding those to the estimate of Mr. Elliott just quoted, he himself said that the total would reach 4,700,000.

In 1884, long after the period when McIntyre stated that the seals were decreasing—as he said since 1882—Mr. Wardman, when writing from the islands, tells us—

"The number of seals is steadily increasing." ("A Trip to Alaska," p. 93.)

Mr. H. A. Glidden, an agent of the Treasury from 1882 to the 8th of June, 1885, an authority quoted by Mr. Blaine in support of the United States' contention, told the Congressional committee in 1888, in replying to the question, "What do you say

about the increase or diminution of the number of seals on the rookeries of St. Paul and St. George?"

"I did not notice any change. * * * I could not see any particular difference. They come and have their young and go away. The period of gestation is eleven months, and then they come back in the spring following. They are there during the season in countless numbers." (Evidence before Congressional committee, p. 27.)

Mr. George R. Tingle, a special agent of the Treasury, gave his evidence before the same committee, and he is put forward by Mr. Blaine in support of the United States' contention. (Appendix to Mr. Blaine's letter to Sir Julian Pauncefote, March 1, p. 17.)

Confirming Mr. Glidden's opinion, as above quoted, Mr. Tingle said:

"From Mr. Elliott's statement I understand that there are no more seals *now* than there were in 1872. I am at a loss to know how Mr. Elliott got his information, as he had not been on the islands for fourteen years."

The same Mr. Tingle, in 1887, reported to Secretary Fairchild that—

"He found the lines of occupancy extending beyond those of last year, and the cows quite as densely packed on the ground on most of the rookeries, whilst on two rookeries there is some falling off. *It is certain*, however, this vast number of animals, so valuable to the Government, are still on the increase. The condition of all the rookeries could not be better." (Appendix to report, Congressional committee, 1888, p. 359.)

In a report of the Alaska Commercial Company (December 13, 1887), it is stated that Mr. George R. Tingle, the agent appointed by the Secretary of the Treasury, substantially confirms Mr. Elliott in his view referred to above, excepting that, upon a careful survey by himself in 1886, he estimated that the fur-seals upon the two islands had increased in number about 2,000,000 up to that time. Mr. Tingle's estimate for 1886 is 6,537,750 (H. R. Ex. Doc. No. 31, 50th Cong., 1st sess.), and in December the Alaska Commercial Company, in their report, said that the seals were on the increase.

The latest definite information appearing in the United States documents regarding the condition of the rookeries is contained in the report of Mr. Tingle, who, as special agent of the Treasury Department, wrote from St. Paul Island, Alaska, July 31, 1888, as follows:

"I am happy to be able to report that, although late landing, the breeding rookeries are filled out to the lines of measurement heretofore made, and some of them much beyond these lines, showing conclusively that seal life is not being depleted, but is fully up to the estimates given in my report of 1887."

From the above United States officials it is clear that, with only partial protection on the islands, the seals have increased in an amazing degree. These islands, containing in 1874 the largest number of seals ever found in the history of sealing at any place, contain to-day a more astounding number.

When the number was less than half of what it is at present, Lieut. Washburn Maynard, of the U. S. Navy, was instructed to make an investigation into the condition of the fur trade of the Territory of Alaska, and in 1874 he reported that 112,000 young male seals had been annually killed in each year, from 1870 to 1874, on the islands comprising the Pribylov group, and he did not think that this diminished the numbers. Lieutenant Maynard's report (44th Cong., 1st sess., H. R. No. 43), as well as that of Mr. Bryant in 1869 (Ex. Doc. No. 32, 41st Cong., 2d sess.), largely supports the contention of the Canadian Government respecting the productiveness of the seal and their habits during the breeding season.

It is not denied that seals enter Behring Sea for the purpose of resorting to the islands to propagate their species, and because the immense herd is chiefly confined to the islands for this purpose during the breeding season it is that the seals have so constantly increased.

Notwithstanding the lax efforts on the part of the United States to guard or patrol the breeding islands, the difficulty of approaching the rough coasts thereof, the prevalence of fogs and other causes have, in a large degree, prevented too destructive or too numerous raids being made upon the rookeries.

The Canadian Government contends that while seals in calf are taken on and off the coasts of British Columbia and California, and also during their migrations near the Aleutian Islands by Indians and Aleuts, the bulk of the seals taken in the open sea of that part of the Pacific Ocean called Behring Sea are bulls both old and young—but chiefly young—and that most of the cows when taken are known as "dry cows," *i. e.*, cows that have nursed and weaned their young, or cows that are barren, or those that have lost pups from natural causes.

It must also be noted that there are more females than males in a herd of seals. ('Trip to Alaska," Wardman, p. 94.)

The position taken by the Canadian Government is supported:

(1) By the history of the rookeries as above given and the great increase shown despite the constant killing and raids upon the islands during the past century.

(2) By the fact that the old bulls that have been able to hold their position on the rookeries go into the water at the end of the rutting season, between 1st and 10th of August. (H. R. Ex. Doc. No. 83, 44th Cong., 1st sess., app., p. 132.)

Mr. Clark, on the Antarctic seal fisheries, in "The Fisheries and Fishery Industries in the United States," 1887, pp. 423, 424, says:

"In very stormy weather, when they (the seals) are driven into the sea, they are forced to betake themselves to the sheltered side of the island, hence the men find that stormy weather pays them best. Two or three old males, termed "beach masters," hold a beach to themselves and cover it with cows, but allow no other males to haul up. The males fight furiously, and one man told me that he had seen an old male take up a younger one in his teeth and throw him into the air. The males show fight when whipped, and are with great difficulty driven into the sea.

"They are sometimes treated with horrible brutality. The females give birth to the young soon after their arrival.

"After leaving the rookeries the bulls do not return to them again that season."

(3) By the fact that two-thirds of all the males that are born are never permitted to land upon the same ground with the females. This large band of bachelors, *when it visits land*, herds miles away from the breeding grounds. (H. W. Elliott, H. R. No. 3883, 50th Cong., p. 112.)

They are driven off into the water. (Clark's article on Antarctic seal fishery industries of the United States, sec. v, vol. ii, 1887, p. 431.)

Young seals are prevented from landing on rookeries. (Ex. Doc. 83, 44th Cong., 1st sess., p. 93; see also Elliott, H. R., 44th Cong., 1st sess., Ex. Doc. No. 83.)

Yearling seals arrive about the middle of July accompanied by a few of the mature males, remaining a greater part of the time in the water. (H. H. McIntire, 41st Cong., 2d sess., H. R. No. 36, p. 14; also H. R. Ex. Doc. 43, 1st sess., 44th Cong., p. 4.)

Mr. Samuel Falkner, assistant Treasury agent, writing from St. George Island August 1, 1873, to Mr. Bryant, Treasury agent for the seal islands, says:

"I notice on some of the rookeries the passage ways, formerly occupied by young bachelors in hauling upon the background, are completely blocked up by females, thus preventing the young seals from landing, and, as the greater portion of this island shore is composed of high cliffs, it renders it difficult for any great number to effect a landing. There are also numerous old males constantly guarding the shore line, which makes it still more difficult for the young ones to work their way on the background."

Then, again, it must be remembered that the non-breeding seals, consisting of all the yearlings and all the males under six or seven years of age, nearly equal in number the breeding seals, and Mr. Elliott estimated, when there were 4,700,000 seals on the island, 1,500,000 of this number were non-breeding seals. (Elliott, app. to H. R. Ex. Doc. No. 83, 44th Cong., 1st sess., p. 79.)

On thick, foggy days bachelor seals numbering over a million will often haul out on different hauling grounds, and on the recurrence of fine weather disappear into the water. (Elliott, p. 144, H. R., 44th Cong., 1st sess., Ex Doc. 83.)

The young bachelors do not remain on shore long at a time. (P. 4, 44th Cong., 1st sess., Ex. Doc. No. 43.) They are so numerous, however, that thousands can be seen upon the hauling grounds, as all of them are never either on shore or in the water at the same time. (*Ibid.*, p. 44.) By the fact that the cows remain with their pups and suckle them until all have left.

They do not go on the rookeries until three years of age. (H. R. Ex. Doc., 44th Cong., 1st sess., No. 43, p. 4.)

They do not go far from shore until the young are reared. Peron says that both parent elephant seals stay with the young without feeding at all until the young are six or seven weeks old, and that then the old ones conduct the young to the water. (Clark's article on Antarctic seals, p. 424.)

The young are suckled by the females for some time and then left to themselves, lying on the beach, where they seem to grow fat without further feeding. ("The Fisheries and Fishing Industries of the United States," sec. v, vol. ii, 1887, p. 424.) For this reason those that are pupped in June are off in the water in August.

So, also, on the African coast the seal remains until the young can take care of themselves. (*Ibid.*, p. 416.)

The bulk of the seals are confined to the islands until ice surrounds them. (H. R. Ex. Doc. No. 45, 44th Cong., 1st sess., p. 2.)

The seals never leave their places, seldom sleep, and never eat anything from May to August, when they take to the water, but, it is believed, take no food until their final departure in November. (H. H. McIntyre, H. R. Ex. Doc. No. 36, 41st Cong., 2d sess., vol. 5.) Mr. Elliott says, "perhaps she feeds." (P. 130 his report on Alaska, 1874, H. R. No. 83 Ex. Doc., 44th Cong.)

The bulls, while on the island, prevent the mothers taking to the water. (Marine mammals, by Captain Shannon, "United States Revenue Marine," 1874, p. 152.)

From 10th to 25th of July the rookeries are fuller than at any other time during the

season, as the pups have all been born, and all the bulls, cows, and pups *remain within their limits.* (H. R. Ex. Doc. No. 43, 44th Cong., 1st sess., p. 3.)

It has been shown that when in the rookeries mothers were destroyed, the young were found dead, etc., but Professor Elliott, in reference to the Pribylov Islands, says:

"With the exception of those animals which have received wounds in combat, no sick or dying seals are seen upon the islands.

"Out of the great numbers, thousands upon thousands of seals that must die every year from old age alone, not one have I ever seen here. They evidently give up their lives at sea." (His report on Alaska, 1874, H. R. Ex. Doc. 83, 44th Cong., p. 150.)

To further prove that the contention of the Canadian Government is not at all unreasonable, it may be said that at the International Fisheries Exhibition, London, 1883, Mr. Brown Goode, of the U. S. Fish Commission, having stated the regulations of the United States concerning the Pribylov group, the official report upon the exhibition, says:

"Every animal, both in sea and on land, reproduces its kind in greater numbers than can possibly exist. In other words, all animals tend to multiply more rapidly than their food; many of them must in consequence either die or be destroyed, and man may rest satisfied that so far as the open ocean is concerned, the fish which he destroys, if he abstain from destroying, would perish in other ways. With respect to the former (seals), I have already pointed out that the restriction which the United States' Government has placed on the destruction of seals in the Alaskan islands seem unnecessarily large."

He added that nature has imposed a limit to their destruction.

Professor Elliott himself was of the opinion in 1874 (see his report on Alaska already referred to, pp. 88, 89) that—

"With regard to the *increase* of the seal life, I do not think it within the power of human management to promote this end to the slightest appreciable degree beyond its present extent and condition in a state of nature; for it can not fail to be evident, from my detailed description of the habits and life of the fur-seal on these islands during a great part of the year, that, could man have the same supervision and control over this animal during the *whole* season which he has at his command while they visit the land, he might cause them to multiply and increase, as he would so many cattle, to an indefinite number, only limited by time and means; but the case in question, unfortunately, takes the fur-seal six months out of every year far beyond the reach, or even cognizance of any one, where it is exposed to known powerful and destructive natural enemies, and many others probably unknown, which prey upon it, and, in accordance with a well-recognized law of nature, keep it at about a certain number, which has been for ages, and will be for the future, as affairs now are, *its maximum limit of increase.* This law holds good everywhere throughout the animal kingdom, regulating and preserving the equilibrium of life in a state of nature. Did it not hold good, these seal islands and all Behring Sea would have been literally covered, and have swarmed with them long before the Russians discovered them; but there were no more seals when first seen here by human eyes in 1786–'87 than there are now, in 1874, as far as all evidence goes.

* * * * * * *

"What can be done to promote their increase? We can not cause a greater number of females to be born every year; we do not touch or disturb these females as they grow up and live, and we save more than enough males to serve them. Nothing more can be done, for it is impossible to protect them from deadly enemies in their wanderings for food.

"This great body of four and five millions of hearty, active animals must consume an enormous amount of food every year. They can not average less than 5 pounds of fish each per diem (this is not half enough for an adult male), which gives the consumption of over *three million tons* of fish every year!

"To get this immense food supply the seals are compelled to disperse over a very large area of the North Pacific and fish. This brings them into contact more and more with their enemies as they advance south, until they reach a point where their annual destruction from natural foes is equal to their increase, and at this point their number will remain fixed. About the seal islands I have failed to notice the least disturbance among these animals by anything in the water or out, and from my observation I am led to believe that it is not until they descend well to the south in the North Pacific that they meet with sharks and voracious killer-whales."*

The following extract from the report of Mr. H. H. McIntyre, special agent of the Treasury at the islands in 1869, largely supports the foregoing views:

"The habits of the fur-seal are peculiar, and in considering the action necessary

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* "In the stomach of one of these animals (year before last) *fourteen* small harp-seals were found."—*Michael Carroll's report, Canadian Fisheries,* 1872.

to their protection deserve careful attention. From the statements of the employés of the late Russian-American Company, the information derived from the intelligent native chief of St. Paul Island, and my own observation during the summer of 1869 I have reached the following conclusions: The seals reach the islands of St. Paul and St. George in May, June, and July of each year in the following order: first, a small number of old male seals, known as *wigs*, visit the islands ve y early in the spring, or as soon as the ice has melted sufficiently to allow them to reach the rocks upon the shore. Their object at this time seems to be solely to reconnoiter their old rookeries with a view to re-occupy them, if they have not been disturbed, and the natives, so understanding it, avoid any noise likely to alarm them, and in case the wind is in such direction as to carry the smoke from the settlement towards the rookeries all fires are extinguished. After a few days these pioneers take their departure, and as the season advances, if they have been undisturbed on the occasion of their first visit, they return, bringing with them all the males of mature age, above five or six years old, who are able to maintain their places in the breeding rookeries. Climbing up on the rocks, each seal selects his position and takes possession of and occupies through the season, if sufficiently strong, from 1 to 3 square rods of ground.

"Still later in the season, when the ice has nearly disappeared, the females arrive, conveyed by the young males above one year of age, who are unable to occupy the rookeries with their seniors. The females, immediately on reaching the shore, are appropriated by the old males and taken to the places respectively selected by them for the season, which is generally the same for many successive years. It is asserted that the same male seal has been known to occupy one rock for more than twenty seasons. The young seals above one year of age, called bachelors, take their positions around the edges of the rookeries or remain in the water, and are constantly trying to steal the females from their respective masters, who also rob each other of their families, by stealth or strength, whenever occasion offers, and thus an incessant quarrel is maintained at all points, which keeps the old males constantly on the alert. They never leave their places, seldom sleep, nor do they eat anything whatever during the entire season from May to August, when they go into the water, but, as far as can be ascertained, take no food until their final departure in November. It may be remarked, however, that they are very fat on arrival and quite as lean at the time of leaving, in autumn. The young seals are supposed to feed while in the water, but this has not been definitely proved, nor is the nature of their food well known, since an examination of their stomachs seldom reveals more than a green, mucilaginous matter. Following all others, the yearling seals arrive about the middle of July, accompanied by a few of the older males, and remain for the greater part of the time in the water. Soon after their arrival, in the months of June and July, the females bring forth their young." (Ex. Doc., 41st Cong., 2d sess., No. 36, p. 14.)

Reference has been made to the raids upon the rookeries, and to the fact that insufficient care has been taken of the breeding ground. It is contended that it is the duty of the Government drawing an enormous rental from these islands to carefully guard and protect them, and it is undoubted that with efficient protection the increase of seal life will be more marvelous than ever.

Mr. Tingle, in 1886, in his report to Secretary Fairchild, urges the Government to keep a cutter around the islands from the 1st of July to the 1st of November.

Mr. Morgan, in 1888, in his evidence before Congress (p. 23), said there were not sufficient cutters for the protection of the islands, and Mr. Wardman, special agent of the Treasury at the islands, 1881 to 1885, said:

"I think the Government ought to keep at least one revenue steamer therein and about these two islands up until the middle of October at least. The trouble has been in the revenue marine service. The appropriations were all right, and a fellow would be sent up to nominally protect the seal islands, but he would also be ordered to look for the north pole as well as watch the seal islands. He might find the north pole, but not around the seal islands. He would be away just at the time he would be needed around there." (Evidence before Congressional committee, p. 38.)

The Hon. Mr. Williams said:

"The Government practice, through the Treasury Department, has been to protect these waters so far as they could with the revenue-cutters which are at their command. Still, it has frequently happened that a revenue-cutter goes upon the seal ground and then is ordered north for inspection, or for the relief of a whaling crew or something of that kind, and they are gone pretty much the whole time of the sealing season, and there seems to be an insufficiency in the method of protection." (Evidence before Congressional committee, p. 106.)

Mr. Taylor, special agent of the Treasury in 1881, said before the same committee (p. 58):

"The difficulty heretofore has been that our revenue-cutters have been obliged to cover a territory of 800 miles long and 700 or 800 miles wide, north and south, and they would get around to the seal islands about twice during a season. They never happened to be there when needed, and, as far as rendering any service whatever is con-

cerned, they were practically useless so far as the seal islands were concerned. That has been the experience, I believe, of all who have been there."

This officer recommended steam-launches for Government agents at the islands. (Evidence before Congressional committee, p. 109.)

Mr. Glidden, another agent of the Treasury from 1882 to 1885, says (evidence Congressional committee, p. 28) when he was at the islands the Government kept no vessels there.

"They landed our officers on a little island 6 miles from St. Paul to watch. * * * In every report I made I recommended that they should keep a revenue-cutter there. One vessel can not protect those islands and visit the Arctic Ocean besides. The cruising ground is far too extensive, covering, as it does, a distance of several thousand miles, and while the cutter is absent in the Arctic much damage can be done by the marauding vessels to the seal islands."

That Congress regarded it at the outset as the duty, at least, of the administration, to simply guard and regulate the islands is clear from the act first dealing with the subject.

Mr. Boutwell, the Secretary of the Treasury, reported in 1870 (41st Cong., 2d sess., Ex. Doc. 109) as follows:

"A suggestion has been made to this Department, in various forms, that the Government should lease these islands for a long period of time to a company or firm, for an annual sum of money, upon the condition that provision should be made for the subsistence and education of the natives, and that the fisheries themselves should be preserved from injury. This plan is open to the very grave objection that it makes a monopoly of a branch of industry, important not only for the people of the islands but to the people of the United States, if the preparation and manufacture of the skins for use should be transferred from London to this country. Such a monopoly is contrary to the ideas of the people, and not many years would pass before serious efforts would be made for its overthrow. Moreover, the natives of the islands would be under the control of the company, and, as the expiration of the lease approached, the inducements to protect them and preserve the fisheries would diminish, especially if the company saw, as would probably be the case, that it had no hope of a renewal of its privileges. Under these circumstances the Government of the United States would necessarily be subjected to great expense and trouble.

"For these reasons, briefly stated, but valid, as they appear to me, I can not concur in the suggestion that the islands should be leased to any company for a period of years.

"Inasmuch as it will be necessary for the Government of the United States to maintain in and around the islands a military and naval force for the protection of its interests under any plan that can be devised, I am of opinion that it is better that the Government should assume the entire control of the business of the islands, and exclude everybody but its own servants and agents; that it should establish a rigid system of police, excluding from the islands distilled spirits and fire-arms, and subject vessels that touch there to forfeiture, except when they are driven to seek shelter or for necessary repairs. The conditions of such occupancy and control by the Government of the United States seem to me to be these:

"First, the exclusion of other parties; second, the supply to the natives of such articles as they are accustomed to use; third, compensation to the natives for their labor, and the payment of a sufficient additional sum each year to enable them to live in the manner to which they have been accustomed; fourth, an equitable division of the value of the skins over the payments made to the natives, and the cost to the Government of the United States of maintaining such force as is necessary for the protection of the business.

"The portion of the surplus equitably belonging to the natives might be set aside for the purpose of education and religious teaching, the erection of more suitable dwellings than they now possess, and generally for their physical, intellectual, and moral improvement.

"If the Government were to lease the islands it would not be possible to withdraw entirely the military and naval forces, or to neglect a careful supervision, and the additional expense consequent upon retaining possession of the business of the islands in the hands of the Government would not be large.

"Ordinarily, I agree in the opinion that a government, especially one like that of the United States, is not adapted to the management of business; but this clearly is a business which can not be left open to individual competition; and if it is to be a monopoly, whether profitable or otherwise, the interest of the Government is so large, and the expenses incident to the protection of these islands so great, that it can not afford to substitute to any extent the monopoly of an individual or of a company for its own lawful supervision.

"Should the Government fail in the attempt to manage the business through its own agents, there will then be opportunity to lease the fisheries to private parties;

but my opinion is that a larger revenue can be obtained from them by actual management than by a lease.

"In further reply to the resolution, I have to say that the skins taken in 1868 were removed by Messrs. Kohl, Hutchinson & Co., the Solicitor of the Treasury being of opinion that the Government had no legal authority to detain them. Those taken in 1869 are upon the islands, but no decision has been made touching the rights of the Government.

"In concluding this report, I desire to call the attention of Congress to the fact that it is necessary to legislate immediately so far as to provide for the business of the present year. The natives will commence the capture of seals about the 1st of June.

"If the islands are to be leased for the present year it should be done immediately, that the lessee may make provision for the business of the year. If the business of the present year is to be conducted by the Government, as I think it should be, whatever our future policy, legislation is necessary; and I suggest that the Secretary of the Treasury be authorized to appoint agents in Alaska, who shall be empowered to superintend the capture of the seals and the curing of the skins; and that an appropriation shall be made of $100,000, out of which the natives shall be paid for the labor performed by them and the other expenses incident to the business met.

"The Secretary of the Treasury should also be authorized to sell the skins at public auction or upon sealed proposals at San Francisco or New York, as he may deem most for the interest of the Government.

"It should be observed in this connection that the Government derived no benefit whatever from the seal fishery of the year 1868, and that the skins taken in 1869 are, nominally at least, the property of two companies, while the Government, during the last year, has furnished protection to the natives and the fishery, and has no assurance at present that it will derive any benefit whatever therefrom.

"If legislation is long delayed the business of the year 1870 will be but a repetition of that of 1869."

While the Canadian contention is supported, as has been seen, by many extracts from the reports of officials of the United States Government, it is apparent that the desire of the lessees, and indirectly that of the officials, has been to create a monopoly in the fur-seal industry, since in this way the market for the skins is largely enhanced and the value of the islands greatly increased.

This is no doubt one reason for the divergent opinions entertained as to the best regulations for the preservation of seal life between those who control the islands and those who are compelled to hunt the seals in the ocean.

In support of the above assertion the following authorities are in point:

Mr. Bryant, in 1869 (Senate Ex. Doc. No. 32, 41st Cong., 2d sess.), stated that the large number taken in 1867 and in 1868 decreased the London valuation to $3 and $4 a skin.

Mr. Moore, in a report to the Secretary of the Treasury (H. R. Ex. Doc. No. 83, p. 196, 44th Cong., 1st sess.), says, when alluding to the advisability of killing more seals than prescribed by the act of July 1, 1870:

"It seems that the 100,000 fur-seals from our own islands, together with the 30,000 obtained by them from Asiatic islands, besides the scattering fur-seals killed in the south seas, are all the market of the world can conveniently take. In fact, it is pretty evident that the very restriction of the numbers killed is about the most valuable part of the franchise of the Alaska Commercial Company, and it is only another proof of the absurdity of the frequent charges made against them that they surreptitiously take from our islands 20,000 to 30,000 more seals than they are entitled to take.

* * * * * * *

"There does not exist any doubt, nor indeed is it denied by the Alaska Commercial Company, that the lease of the islands of St. Paul and St. George is highly lucrative. The great success of this franchise is, however, owing, as far as I could ascertain, to three principal causes: First, the Alaska Commercial Company, owing to the fact that they have the sole control of the three Asiatic islands on which fur-seals are found, as well as on our own islands, as St. Paul and St. George, virtually manage the sale of 80 per cent. of all the fur-seals killed annually in the world; secondly, the arbitrary and somewhat eccentric law of fashion has raised the price of fur-seals in the markets of the world during the last four years fully 100 per cent. in value; thirdly, time and experience have given this controlling company most valuable advantages. For instance, in the island of St. Paul, where a reputed number of from 3,000,000 to 3,500,000 of seals congregate, the comparatively small quantity only of formerly 75,000 and now 90,000 are killed. The company employs experts in selecting easily the kind that are the most valuable in the market, and have no difficulty in getting 90,000 out of a flock of 3,000,000 to 3,500,000, which are the select of the select; and it is owing to this cause, and to the care taken in avoiding cuts in the skins, as also in properly preparing them for the market, that the high prices are

obtained. Indeed, the fact is that a fur-seal selling now in London for £2 10*s.* or £3 is, owing to its superior quality and excellent condition, cheaper than the fur-seals which five years ago fetched 30 shillings sterling. The former mode of the indiscriminate killing of fur-seals was as detrimental to the value of the skins as it was to the existence of the breed. With such a valuable franchise, secured by a contract that has still fifteen years to run, but which could, without notice, be terminated by the Secretary of the Treasury for cause, it would indeed be a suicidal policy on the part of the company to infringe on the stipulations of the contract."

All this is explained in the evidence before the Congressional committee, pages 77, 101, 105, and 121, where the company is shown not to have taken the full quota in two years.

"Not because we could not get enough seals, but because the market did not demand them. There were plenty of seals." (Evidence before Congressional Committee, p. 121.)

Mr. McIntyre, once a special agent, has already been quoted, and was afterwards in the service of the company, reported, in 1869, to the Speaker of the House of Representatives, Mr. Blaine (H. R. Ex. Doc. No. 36, 41st Cong., 2d sess.), that—

"The number of skins that may be secured, however, should not be taken as the criterion on which to fix the limit of the yearly *catch*, but rather the demand of the market, keeping, of course, always within the annual production. It appears that under the Russian management a much larger number was sometimes killed than could be advantageously disposed of. Thus, in 1803, after the slaughter had been conducted for some years without regard to the market, an accumulation of 800,000 skins was found in the storehouses on the islands, 700,000 of which were thrown into the sea as worthless. At several times since that date the market has been glutted, and sales almost or quite suspended. A few months previously to the transfer of Alaska to the United States seal-skins were worth in London only $1.50 to $3 each, and several thousand skins owned by the Russian-American Company were sold to parties in San Francisco, at the time of the transfer, at 50 cents to $1.25, a sum insufficient to pay the present cost of securing and transporting them to that city. Soon afterwards, however, fur-seal garments became fashionable in Europe, and in the expectation that the usual supply would be cut off by reason of the transfer of Alaska, prices advanced to $4 to $7 per skin; contrary to the expectation of dealers more than 200,000 skins were taken by the various parties engaged in the business on the islands in 1868, and the London price has declined to $3 to $4 per skin; and I am assured that if the raw skins now held by dealers in London were thrown upon the market, a sufficient sum to pay the cost of transportation from the islands could hardly be realized. The number of raw skins now upon the market is not less than 350,000, and it is predicted that several years must elapse before the demand will again raise the price above the present rate, if, indeed, the large surplus of skins does not carry it much lower before reaction begins."

Many of the dangers to seal life have been mentioned, and it has been shown that the herd still thrives; but the wonderful productiveness of the seal is further shown by an allusion to a danger greater than all the assaults of man in the deep sea—a danger ever existing, which naturally tends to keep the seals inshore, or, when outside, to scatter.

Reference is made to the killer-whales and sharks. (H. R. Ex. Doc. 83, 44th Cong., 1st sess., p. 177, and pp. 80, 87 of appendix to the same document; also page 359 of evidence before Congressional committee, 1888.)

"That these animals are preyed upon extensively by killer-whales (*Orca gladiator*) in especial, and by sharks, and probably other submarine foes now unknown, is at once evident; for were they not held in check by some such cause they would, as they exist to-day on St. Paul, quickly multiply, by arithmetical progression, to so great an extent that the island, nay, Behring Sea itself, could not contain them. The present annual killing of 100,000 out of a yearly total of over a million males does not in any appreciable degree diminish the seal life, or interfere in the slightest with its regular, sure perpetuation on the breeding grounds every year. We may, therefore, properly look upon this aggregate of four and five millions of fur-seals as we see them every season on these Pribylov Islands as the maximum limit of increase assigned to them by natural law. The great equilibrium which nature holds in life upon this earth must be sustained at St. Paul as well as elsewhere. (Elliott's report, pp. 62, 64.)

"When before the Committee of Ways and Means on the 17th of March, 1876, on the investigation before alluded to, Mr. Elliott made a similar statement, giving in somewhat greater detail the reasons for his conclusions. His evidence will be found annexed to the report of the committee." (Report No. 623, H. R., 44th Cong., 1st sess.)

Respecting the practice of sealing as known in Canada, it may be said: Canadian sealers start out upon their sealing voyages some time in the beginning of the year. The vessels go down to a point off San Francisco, and from thence work north. The

seals taken by them off the coast are of both sexes, many in pup, some young bulls; very few old bulls run in the Pacific Ocean.

The catch of each vessel will average between 500 and 700 seals a year between 1st of January and the end of May.

When an untrained crew is taken, many shots may be fired without hitting the seals at all, since the novice expects he can hit when at considerable distance, the seals in such cases escaping entirely; but with Indian hunters and expert whites a seal is nearly always captured when hit. An expert never shoots until after he has arrived at close quarters, and generally when the seal is asleep.

In Behring Sea the catch is made up largely of young bachelors.

Sealing captains contend that no male becomes fit for the rookeries until six years of age. This contention is supported by the authorities to whom reference has already been made.

It is further contended that should a temporary diminution of seal life become apparent upon the islands of the Pribylov group, it would not follow that the herds were decreasing. Professor Elliott, in his report of 1874 upon Alaska, so frequently referred to in this paper, argues on pages 265 and 266 that in such a case a corresponding augmentation may occur in Copper or Behring Island, since "these animals are not particularly attached to the respective places of their birth."

"Thus it appears to me necessary that definite knowledge concerning the Commander Islands and the Kuriles should be possessed; without it I should not hesitate to say that any report made by an agent of the Department as to a visible diminution of the seal life on the Pribylovs due, in his opinion, to the effect of killing as it is conducted was without good foundation; that this diminution would have been noticed just the same in all likelihood had there been no taking of seals at all on the islands, and that the missing seals are more than probably on the Russian grounds.'

[Inclosure 4.]

NOTE ON THE QUESTION OF THE PROTECTION OF THE FUR-SEAL IN THE NORTH PACIFIC.

(By Mr. George Dawson, D. S., F. G. S., F. R. S. C., F. R. M. S., Assistant Director of the Geological Survey of Canada.)

The mode of protection which is apparently advocated by the United States Government in the case of the fur-seal, viz, that of leasing the privilege of killing the animal on the breeding grounds and prohibiting its capture elsewhere, is a new departure in the matter of such protection. If, indeed, the whole sweep of the Pacific Ocean north of the equator was dominated and effectively controlled by the United States, something might be said in favor of some such mode of protection from a commercial point of view; but in the actual circumstances the results would be so entirely in favor of the United States, and so completely opposed to the interests and natural rights of citizens of all other countries, that it is preposterous to suppose that such a mode of protection of these animals can be maintained.

Such an assumption can be based in this case on one or other only of two grounds:

Stated briefly, the position of the United States in the matter appears to be based on the idea of allowing, for a money consideration, the slaughter of the maximum possible number of seals compatible with the continued existence of the animals on the Pribylov Islands, while, in order that this number shall not be reduced, no sealing is to be permitted elsewhere.

(1) That Behring Sea is a *mare clausum*.

(2) That each and every fur-seal is the property of the United States.

Both claims have been made in one form or other, but neither has, so far as I know, been officially formulated.

The first is simply disproved by the geographical features of Behring Sea, by the fact that this sea and Behring Strait contribute the open highway to the Arctic and to part of the northern shore of Canada, by the previous action of the United States Government when this sea was nearly surrounded by Russian territory, and by the fact that from 1842 to the date of the purchase of Alaska fleets of United States and other whalers were annually engaged in Behring Sea. It is scarcely possible that any serious attempt will be made to support this contention. (Bancroft's History, vol. 33, Alaska, p. 583 *et seq.*)

The second ground of claim is candidly advanced by H. W. Elliott, who writes:

"The fur-seals of Alaska, collectively and individually, are the property of the General Government. * * * Every fur-seal playing in the waters of Behring Sea around about the Pribylov Islands, no matter if found so doing 100 miles away from

those rookeries, belong there, has been begotten and born thereon, and is the animal that the explicit shield of the law protects. No legal sophism or quibble can cloud the whole truth of my statement. * * * The matter is, however, now thoroughly appreciated and understood at the Treasury Department, and has been during the past four years, as the seal pirates have discovered to their chagrin and discomfiture." (U. S. 10th Census, vol. 8, Fur-Seal Islands, p. 157.)

Waiving for the moment the general objection which may be raised to the enforcement of such a principle on the high seas—an enforcement which the United States, in the interest of the Alaska Fur Company, appear to have undertaken—the facts upon which the assumption are based may be questioned. Mr. Elliott, in fact, himself writes, on the same page (referring to the presence of a large sealing fleet in Behring Sea), that it could not fail "in a few short years in so harassing and irritating the breeding seals as to cause their withdrawal from the Alaska rookeries, and probable retreat to those of Russia—a source of undoubted Muscovite delight and emolument and of corresponding loss and shame to us."

This remark implies that the seals may resort to either the Pribylov or the Russian islands, according to circumstances; and who is to judge, in the case of a particular animal, in which of these places it has been born? The old theory that the seals returned each year to the same spot has been amply disproved. Elliott himself admits this, and it is confirmed (op. cit., p. 31) by Capt. Charles Bryant, who resided eight years in the Pribylov Islands as Government agent, and who, having marked 100 seals in 1870, on St. Paul Island, recognized, the next year, 4 of them in different rookeries on that island and 2 on St. George Island. (Monograph on North American Pinnipedes, Allen, 1880, p. 401.)

It is, moreover, by no means certain that the fur-seals breed exclusively on the Russian and United States seal islands of Behring Sea, though these islands are no doubt their principal and important breeding places. They were formerly, according to Captain Shannon, found in consider able numbers on the coast of California; and Capt Bryant was credibly informed ("Marine Mammals of Coast of Northwest North America," p. 152, 154, quoted by Allen, op. cit., p. 332) of the existence in recent years of small breeding colonies of these animals on the Queen Charlotte Islands of British Columbia. Mr. Allen further quotes from the observations of Mr. James G. Swan, field assistant of the United States Commissioner of Fish and Fisheries.

"Mr. Swan" (I quote from Mr. Elliott) "has passed nearly an average life-time on the Northwest coast, and has rendered to natural science and to ethnology efficient and valuable service."

His statements may therefore be received with respect. He writes:

"The fact that they (the fur-seals) do bear pups in the open ocean, off Fuca Strait, is well established by the evidence of every one of the sealing captains, the Indians, and my own personal observations. Dr. Power says the facts do not admit of dispute. * * * It seems as preposterous to my mind to suppose that all the fur-seals of the North Pacific go to the Pribylov Islands as to suppose that all the salmon go to the Columbia or Fraser River or to the Yukon."

To this Prof. D. S. Jordon, the well-known naturalist, adds:

"I may remark that I saw a live fur-seal pup at Cape Flattery, taken from an old seal just killed, showing that the time of bringing them forth was just at hand."

On these statements Mr. Allen himself remarks:

"These observations, aside from the judicious suggestions made by Mr. Swan, are of special interest as confirming those made some years ago by Captain Bryant, and already briefly recorded in this work. They seem to show that at least a certain number of fur-seals repair to secluded places, suited to their needs, as far south as the latitude of Cape Flattery, to bring forth their young." (Allen, *op. cit.*, pp. 411, 772, 773.)

Mr. Elliott, of course, stoutly denies the authenticity of all these observations, it being necessary to do so in order to maintain his contention as to the ownership of the United States Government, or the Alaska Fur Company, as the case may be, in the seals.

It has further been often stated that the killing of fur-seals in the open sea off the North Pacific coast is a comparatively new departure, while it is, as a matter of fact, morally certain that the Indians of the whole length of that coast have pursued and killed these animals from time immemorial. As the value of the skins has, however, only of late years become fully known and appreciated, it is naturally difficult to obtain much trustworthy evidence of this without considerable research. Some facts can, however, be adduced. Thus, Captain Shannon described the mode of hunting seals in canoes employed by the Indians of Vancouver Island, and refers to the capture of seals by the Indians off the Straits of Fuca, where, he adds, they appear—

"Some years as early as the 1st of March, and more or less remain till July or August, but they are most plentiful in April and May. *During these two months the Indians devote nearly all their time to sealing when the weather will permit.*"

In 1843 to 1864 only a few dozen skins are known to have been taken annually, but in 1869 fully 5,000 were obtained. Mr. Allen, writing in 1880, states that—

"During the winter months considerable numbers of seal-skins are taken by the natives of British Columbia, some years as many as 2,000." (Allen, *op. cit.*, pp. 332, 371, 411.)

The protection of the fur-seals from extermination has from time to time been speciously advanced as a sufficient reason for extraordinary departures from the respect usually paid to private property and to international rights; but any protection based on the lease of the breeding grounds of these animals as places of slaughter, and an attempt to preserve the seals when at large and spread over the ocean, as they are during the greater part of each year, is unfair in its operation, unsound in principle, and impracticable in enforcement.

Referring to the interests of the Indians of the Northwest coast, it is true that a certain number of Aleuts now on the Pribylov Islands (398 in all, according to Elliott) are dependent on the sealing business for subsistence, but these islands were uninhabited when discovered by the Russians, who brought these people here for their own convenience. Further south along the coast the natives of the Aleutian Islands, of the southeast coast of Alaska, and of the entire coast of British Columbia have been, and still are, accustomed annually to kill considerable numbers of seals. This it would be unjust to interfere with, even were it possible to carry out any regulations with that effect. The further development of oceanic sealing affords employment to, and serves as a mode of advancement and civilization for, these Indians, and is one of the natural industries of the coast. No allusion need be made to the prescriptive rights of the white sealers, which are well known.

The unsoundness of this principle of conservation is shown by what has occurred in the southern hemisphere in respect to the fur-seals of that region. About the beginning of the century very productive sealing grounds existed in the Falkland Islands, Kerguelen Islands, Georgian Islands, the west coast of Patagonia, and many other places similarly situated, all of which were in the course of a few years almost absolutely stripped of seals, and in many of which the animal is now practically extinct. This destruction of the southern fur-sealing trade was not caused by promiscuous sealing at sea, but entirely by hunting on and around the shores, and, had these islands been protected as breeding places, the fur-seals would in all probability be nearly as abundant in the south to-day as they were at the date at which the trade commenced.

The impracticability of preventing the killing of seals on the open sea and of efficiently patrolling the North Pacific for this purpose is sufficiently obvious. The seals, moreover, when at sea (in marked contrast with their boldness and docility in their breeding places), are extremely wary, and the number which can be obtained by legitimate hunting at sea must always be small as compared with the total. Elliott, in fact, states that the seal, when at sea, "is the shyest and wariest your ingenuity can define." (*Op. cit.*, p. 65.)

The position is such that at the present time the perpetuation or the extermination of the fur-seal in the North Pacific as a commercial factor practically depends entirely on the regulations and restrictions which may be applied by the United States to the Pribylov Islands, and now that this is understood a regard for the general interest of its own citizens, as well as for those of other countries, demands that the extermination or serious depletion of the seals on their breeding islands should be prevented. It is probably not necessary for this purpose that the killing of seals on these islands should be entirely prohibited. Both Elliott and Bryant show good reason for believing that a large number of seals may be killed annually without reducing the average aggregate number which can find suitable breeding grounds on these islands, and after the very great reduction in numbers which occurred, owing to an inclement season about 1836 (Elliott), or 1842 (Bryant), the seals increased very rapidly again, and in a few years being nearly as numerous as in 1873, when the total number on the islands was estimated at over 4,700,000.

By retaining an efficient control of the number of seals to be killed on the Pribylov Islands, and by fixing this number anew each season in accordance with circumstances, the United States Government will be in a position to counteract the effect of other causes tending to diminish the number of seals, whether climatic or resulting from the killing of a larger number at sea. There is no reason to apprehend that the number of seals which might thus be safely killed on the islands would under any circumstances be so small as to fail to cover the cost of the administration and protection of the islands. If such a policy as this, based on the common interests in the preservation of the seals, were adopted, it might be reasonable to agree (for the purpose of safeguarding the islands and for police purposes) that the jurisdiction of the United States in this matter should be admitted to extend to some greater distance than this usual one of 3 marine miles, though, as shown further on, the necessary distance would not be great.

The situation of the Pribylov Islands and the habits of the seal together cause the problem of its preservation to be one of extreme simplicity if approached from the point of view of protection on and about the islands, but one of very great difficulty if looked at from any other stand-point. The long-continued and presumably accurate observations which have been made on the habits of the seals show that during the entire breeding season they are very closely confined to the immediate shores of the breeding islands, and that neither in arriving nor in departing from these islands do they form schools or appear together in such numbers as to render promiscuous slaughter at sea possible. The old bulls actually remain on shore during the entire breeding season, while the females, though leaving their young from time to time for the water, are described as haunting the immediate vicinity of the shores just beyond the line of surf. Even the bachelor seals (Elliott, op. cit., pp. 45. 64 *et passim;* Allen, op. cit., p. 386), which constitute a distinct body while ashore and are not actually engaged in breeding or protecting the young, are said to remain close to the shore. If, however, any seals are to be found at this time going to or returning from the sea at some distance from land, these belong to the "bachelor" class, which is the very class selected for the killing by the fur company. The young females, after leaving the islands in the year of their birth, do not return at all till after reaching maturity in their third year. (Allen, op. cit., p. 402.)

The evidence obtained by Captain Bryant shows that while "small groups of small seals (apparently one and two years old)" are met with at large in Behring Sea during July and August, no considerable numbers of schools are to be found. (Allen, op. cit., p. 411.)

It is thus apparent that the perfect security of the seals actually engaged in breeding and suckling their young may be secured without extending the limits of protection beyond the usual distance of 3 miles from the shores of the breeding islands, but that for the purpose of increasing the facilities of supervision a somewhat wider limit might reasonably be accorded. Possibly by defining an area inclosed by lines joining points 3 miles off the extreme headlands and inlets of the Pribylov group, an ample and unobjectionable area of protection might be established.

It is allowed by all naturalists that the habits of the fur-seal sof the southern hemisphere are identical with those of the seal of the North Pacific, and it is therefore admissible to quote the observations of Dampier on Juan Fernandez Island in further confirmation of the fact that these animals go only for a very short distance from land during the breeding season, even when in immense multitudes on the shore. Dampier writes:

"Here are always thousands, I might say possibly millions of them, either sitting on the bays or going and coming in the sea round th e islands, which is covered with them (as they lie at the top of the water playing and sunning themselves) *for a mile or two from the shore.*" ("A New Voyage Round the World," 1703; quoted by Allen, op. cit., p. 334.)

These rookeries have, like others in the South, been long since d epleted and abandoned.

The circumstance that the female fur-seal becomes pregnant within a few days after the birth of its young, and that the period of gestation is nearly twelve months, with the fact that the skins are at all times fit for market (though for a few weeks, extending from the middle of August to the end of September, during the progress of the shedding and renewal of the longer hair, they are of less value) show that there is no natural basis for a close season generally applicable. Thus, should any close season be advocated, its length and the time of year during which it shall occur, can only be determined as a matter of convenience and be of the nature of a compromise between the various interests involved. The pelagic habits of the seals during fully six months of each year, and the fact that they are during the entire winter season widely dispersed over the Pacific, constitute a natural and unavoidable close season. It is thus only possible, from a commercial point of view, to kill the seals during the period of their approximate concentration for migration or when in Behring Sea. This is the period fixed by nature during which seals may be taken, and any artificial close season can be effective only if applied to the further curtailment of the time at which it is possible to carry on the fishery. It may be assumed, therefore, as such a close season for seal hunting at sea must be purely arbitrary and artificial, that any close season proposed by the United States or the lessees of the seal islands will be chosen entirely in the interest of sealing on shore, and so arranged as to render the time of sealing on the open sea as short and unprofitable as possible. It is thus important that the sea-going sealers should at least have an equal voice in the matter of the time and duration of a close period if such should be contemplated.

GEORGE M. DAWSON.

MARCH 5, 1890.

No. 13.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *April* —, 1890. (Received April 30.)

DEAR MR. BLAINE: At the last sitting of the Conference on the Behring Sea Fisheries question, you expressed doubts, after reading the memorandum of the Canadian Minister of Marine and Fisheries, which by your courtesy has since been printed, whether any arrangement could be arrived at that would be satisfactory to Canada.

You observed that the proposal of the United States had now been two years before Her Majesty's Government, that there was nothing further to urge in support of it; and you invited me to make a counter proposal on their behalf. To that task I have most earnestly applied myself, and while fully sensible of its great difficulty, owing to the conflict of opinion and of testimony which has manifested itself in the course of our discussions, I do not despair of arriving at a solution which will be satisfactory to all the Governments concerned. It has been admitted, from the commencement, that the sole object of the negotiation is the preservation of the fur-seal species for the benefit of mankind, and that no considerations of advantage to any particular nation, or of benefit to any private interest, should enter into the question.

Such being the basis of negotiation, it would be strange indeed if we should fail to devise the means of solving the difficulties which have unfortunately arisen. I will proceed to explain by what method this result can, in my judgment, be attained. The great divergence of views which exists as to whether any restrictions on pelagic sealing are necessary for the preservation of the fur seal species, and if so, as to the character and extent of such restrictions, renders it impossible in my opinion to arrive at any solution which would satisfy public opinion either in Canada or Great Britain, or in any country which may be invited to accede to the proposed arrangement, without a full inquiry by a mixed commission of experts, the result of whose labors and investigations, in the region of the seal fishery, would probably dispose of all the points in dispute.

As regards the immediate necessities of the case I am prepared to recommend to my Government for their approval and acceptance, certain measures of precaution which might be adopted provisionally and without prejudice to the ultimate decision on the points to be investigated by the commission. Those measures, which I will explain later on, would effectually remove all reasonable apprehension of any depletion of the fur seal species, at all events, pending the report of the commission.

It is important, in this relation, to note that while it has been contended on the part of the United States Government that the depletion of the fur seal species has already commenced and that even the extermination of the species is threatened within a measurable space of time, the latest reports of the United States agent, Mr. Tingle, are such as to dissipate all such alarms.

Mr. Tingle in 1887 reported that the vast number of seals was on the increase and that the condition of all the rookeries could not be better.

In his later report, dated July 31, 1888, he wrote as follows:

> I am happy to be able to report that, although late landing, the breeding rookeries are filled out to the lines of measurement heretofore made and some of them much beyond those lines, showing conclusively that seal life is not being depleted, but is fully up to the estimate given in my report of 1887.

Mr. Elliott, who is frequently appealed to as a great authority on the subject, affirms that, such is the natural increase of the fur-seal species that these animals, were they not preyed upon by killer-whales (orca gladiator), sharks, and other submarine foes, would multiply to such an extent that "Behring Sea itself could not contain them."

The Honorable Mr. Tupper has shown in his memorandum that the destruction of seals caused by pelagic sealing is insignificant in comparison with that caused by their natural enemies, and he gives figures exhibiting the marvelous increase of seals in spite of the depredations complained of.

Again the destructive nature of the modes of killing seals by spears and fire-arms has apparently been greatly exaggerated as may be seen from the affidavits of practical seal hunters which I annex to this letter, together with a confirmatory extract from a paper upon the "Fur-Seal Fisheries of the Pacific Coast and Alaska," prepared and published in San Francisco and designed for the information of eastern United States Senators and Congressmen.

The Canadian Government estimate the percentage of seals so wounded or killed and not recovered at 6 per cent.

In view of the facts above stated, it is improbable that pending the result of the inquiry, which I have suggested, any appreciable diminution of the fur-seal species should take place, even if the existing conditions of pelagic sealing were to remain unchanged.

But in order to quiet all apprehension on that score, I would propose the following provisional regulations.

I. That pelagic sealing should be prohibited in the Behring Sea, the Sea of Ochotsk, and the adjoining waters, during the months of May and June, and during the months of October, November, and December, which may be termed the "migration periods" of the fur-seal.

II. That all sealing vessels should be prohibited from approaching the breeding islands within a radius of 10 miles.

These regulations would put a stop to the two practices complained of as tending to exterminate the species; firstly, the slaughter of female seals with young during the migration periods, especially in the narrow passes of the Aleutian Islands; secondly, the destruction of female seals by marauders surreptitiously landing on the breeding islands under cover of the dense fogs which almost continuously prevail in that locality during the summer.

Mr. Taylor, another agent of the United States Government asserts that the female seals (called cows) go out from the breeding islands every day for food. The following is an extract from his evidence:

> The cows go 10 and 15 miles and even farther. I do not know the average of it—and they are going and coming all the morning and evening. The sea is black with them round about the islands. If there is a little fog and they get out half a mile from shore we can not see a vessel 100 yards even. The vessels themselves lay around the islands there where they pick up a good many seal, and there is where the killing of cows occurs when they go ashore.

Whether the female seals go any distance from the islands in quest of food, and if so, to what distance, are questions in dispute, but pending their solution the regulation which I propose against the approach of sealing vessels within 10 miles of the islands for the prevention of surreptitious landing practically meets Mr. Taylor's complaint, be it well founded or not, to the fullest extent; for, owing to the prevalence of fogs, the risk of capture within a radius of 10 miles will keep vessels off at a much greater distance.

This regulation if accepted by Her Majesty's Government would cer-

tainly manifest a friendly desire on their part to co-operate with your Government and that of Russia in the protection of their rookeries and in the prevention of any violation of the laws applicable thereto. I have the honor to inclose the draught of a preliminary convention which I have prepared, providing for the appointment of a mixed commission who are to report on certain specified questions within two years.

The draught embodies the temporary regulations above described together with other clauses which appear to me necessary to give proper effect to them.

Although I believe that it would be sufficient during the "migration periods" to prevent all sealing within a specified distance from the passes of the Aleutian Islands I have out of a deference to your views and to the wishes of the Russian minister, adopted the fishery line described in Article V, and which was suggested by you at the outset of our negotiation. The draught, of course, contemplates the conclusion of a further convention after full examination of the report of the mixed commission. It also makes provision for the ultimate settlement by arbitration of any differences which the report of the commission may still fail to adjust, whereby the important element of finality is secured, and in order to give to the proposed arrangement the widest international basis, the draught provides that the other powers shall be invited to accede to it.

The above proposals are, of course, submitted *ad referendum*, and it only now remains for me to commend them to your favorable consideration and to that of the Russian minister. They have been framed by me in a spirit of justice and conciliation, and with the most earnest desire to terminate the controversy in a manner honorable to all parties and worthy of the three great nations concerned.

I have, etc.,

JULIAN PAUNCEFOTE.

[Inclosure 1.]

THE NORTH AMERICAN SEAL FISHERY CONVENTION.

TITLE.

Convention between Great Britain, Russia, and the United States of America in relation to the fur-seal fishery in the Behring Sea, the Sea of Ochotsk, and the adjoining waters.

PREAMBLE.

The Governments of Russia and of the United States having represented to the Government of Great Britain the urgency of regulating by means of an international agreement the fur-seal fishery in Behring Sea, the Sea of Ochotsk, and the adjoining waters, for the preservation of the fur-seal species in the North Pacific Ocean; and differences of opinion having arisen as to the necessity for the proposed agreement, in consequence whereof the three Governments have resolved to institute a full inquiry into the subject, and, pending the result of such inquiry, to adopt temporary measures for the restriction of the killing of seals during the breeding season, without prejudice to the ultimate decision of the questions in difference in relation to the said fishery.

The said three Governments have appointed as their respective plenipotentiaries, to wit:

Who, after having exchanged their full powers which were found to be in good and due form, have agreed upon the following articles:

ARTICLE I.

MIXED COMMISSION OF EXPERTS TO BE APPOINTED.

The High Contracting Parties agree to appoint a mixed commission of experts who shall inquire fully into the subject and report to the High Contracting Parties within two years from the date of this convention, the result of their investigations together with their opinions and recommendations on the following questions:

(1) Whether regulations properly enforced upon the breeding islands (Robin Island in the Sea of Ochotsk and the Commander Islands and the Pribylov Islands in the Behring Sea) and in the territorial waters surrounding those islands are sufficient for the preservation of the fur-seal species?

(2) If not, how far from the islands is it necessary that such regulations should be enforced in order to preserve the species?

(3) In either of the above cases what should such regulations provide?

(4) If a close season is required on the breeding islands and territorial waters, what months should it embrace?

(5) If a close season is necessary outside of the breeding islands as well, what extent of waters and what period or periods should it embrace?

ARTICLE II.

ON RECEIPT OF REPORT OF COMMISSION QUESTION OF INTERNATIONAL REGULATIONS TO BE FORTHWITH DETERMINED.

On receipt of the report of the Commission and of any separate reports which may be made by individual commissioners, the High Contracting Parties will proceed forthwith to determine what international regulations, if any, are necessary for the purpose aforesaid, and any regulations so agreed upon shall be embodied in a further Convention to which the accession of the other powers shall be invited.

ARTICLE III.

ARBITRATION.

In case the High Contracting Parties should be unable to agree upon the regulations to be adopted, the questions in difference shall be referred to the arbitration of an impartial government, who shall duly consider the reports hereinbefore mentioned, and whose award shall be final and shall determine the conditions of the further Convention.

ARTICLE IV.

PROVISIONAL REGULATIONS.

Pending the report of the Commission and for six months after the date of such report, the High Contracting Parties agree to adopt and put in force as a temporary measure and without prejudice to the ultimate decision of any of the questions in difference in relation to the said fishery, the regulations contained in the next following articles Nos. 5 to 10 inclusive.

ARTICLE V.

SEAL FISHERY LINE.

A line of demarcation to be called the "seal fishery line" shall be drawn as follows:

From Point Anival at the southern extremity of the Island of Saghalien in the Sea of Ochotsk to the point of intersection of the 50th parallel of north latitude with the 160th meridian of longitude east from Greenwich, thence eastward along the said 50th parallel to its point of intersection with the 160th meridian of longitude west from Greenwich.

ARTICLE VI.

CLOSE TIME.

The subjects and citizens of the High Contracting Parties shall be prohibited from engaging in the fur-seal fishery and the taking of seals by land or sea north of the seal fishery line from the 1st of May to the 30th of June, and also from the 1st of October to the 30th of December.

ARTICLE VII.

PREVENTION OF MARAUDERS.

During the intervening period in order more effectively to prevent the surreptitious landing of marauders on the said breeding islands, vessels engaged in the fur-seal fishery and belonging to the subjects and citizens of the high contracting parties, shall be prohibited from approaching the said islands within a radius of ten miles.

ARTICLE VIII.

FURTHER PROVISIONAL REGULATIONS.

The high contracting parties may, pending the report of the commission, and on its recommendation or otherwise, make such further temporary regulations as may be deemed by them expedient for better carrying out the provisions of this convention and the purposes thereof.

ARTICLE IX.

PENALTY FOR VIOLATION OF PROVISIONAL REGULATIONS.

Every vessel which shall be found engaged in the fur-seal fishery contrary to the prohibitions provided for in articles 6 and 7, or in violation of any regulation made under article 8, shall, together with her apparel, equipment, and contents, be liable to forfeiture and confiscation, and the master and crew of such vessel, and every person belonging thereto, shall be liable to fine and imprisonment.

ARTICLE X.

SEIZURE FOR BREACH OF PROVISIONAL REGULATIONS. TRIAL OF OFFENCES.

Every such offending vessel or person may be seized and detained by the naval or other duly commissioned officers of any of the high contracting parties, but they shall be handed over as soon as practicable

to the authorities of the nation to which they respectively belong, who shall alone have jurisdiction to try the offence and impose the penalties for the same. The witnesses and proofs necessary to establish the offence shall also be sent with them and the court adjudicating upon the case may order such portion of the fines imposed or of the proceeds of the condemned vessel to be applied in payment of the expenses occasioned thereby.

ARTICLE XI.

RATIFICATION. COMMENCEMENT AND DURATION OF CONVENTION.

This convention shall be ratified and the ratifications shall be exchanged at ——— in six months from the date thereof or sooner if possible. It shall take effect on such day as shall be agreed upon by the high contracting parties, and shall remain in force until the expiration of six months after the date of the report of the commission of experts to be appointed under Article I; but its duration may be extended by consent.

ARTICLE XII.

ACCESSION OF OTHER POWERS.

The high contracting parties agree to invite the accession of the other powers to the present convention.

[Inclosure 2.]

[Extract from pamphlet entitled "Fur Seal Fisheries of the Pacific Coast and Alaska," published by C. D. Ladd, 529 Kearny street, San Francisco, California.]

It is claimed that many seals are shot that sink and are lost.

Undoubtedly there are some lost in this way, but the percentage is light—probably one in thirty or forty, not more than this. It is also claimed that ten are shot and wounded that die to one that is secured. This is also an error. Many seals are shot at that are not hit at all, but when a seal is wounded so that in the end it will die, it is most always secured by the hunter, who may have to shoot at it several times in order to get it, as the seal in the water exposes only its head, and when frightened exposes only a small portion of that, so that together with the constant diving of the seal, the motion of the boat, etc., makes it very hard to hit. This is where it is claimed that ten are shot and wounded to one that is secured; but it is nearer the truth that one is lost to ten that are secured, for the reason that when a seal is wounded it can not remain under water any length of time and therefore the hunter can easily follow it up and secure it.

THOMAS HOWE.

In 1886, on board the *Theresa* and *Pathfinder*, I got for the season 397 seals and lost about 20. In 1887, on the schooner *Penelope*, I got 510 and lost about 30. In 1888, on the *Lily Lad*, I got 316 and lost 12. In 1889, on board the *Viva*, I got 587 and lost 27.

THOMAS HOWE.

FREDERICK GILBERT.

I am a seal hunter. I have been four years on board sealing vessels; one year I was a boat rower and three years a hunter. I have always been with white hunters, and have used the shot-gun and rifle for shooting seals.

In 1887 I got 518 seals and lost 14; in 1888 I got 244 and lost 5; in 1889 I got 454 and lost 16; or in the three years I got 1,216 and lost 35, or $2\frac{4}{5}$ per cent. I never shot or saw pups with the cows in the water, nor have I ever heard of such a case. Some hunters lose a few more than I do, but the most unlucky hunters I have met with did not lose twice as many.

FRED. GILBERT.

VICTORIA, BRITISH COLUMBIA, *September* 12, 1889.

CAPT. WILLIAM O'LEARY.

I am a master mariner, and have been seal hunting on the Pacific coast four years, three of which I was in Behring's Sea as well. One year I had Indian hunters only, and the three years I had white hunters only—all on the schooner *Pathfinder*. My experience with Indian hunters is that they lose none—at most a few—of the seals they spear. The spears are "bearded," some with one, some with two beards, and once the seal is struck, capture is certain.

White hunters use shot-guns and rifles, according to distance and state of water. On smooth water and at long ranges the rifle is generally used, but the majority of hunters use the shot-gun, and the great majority of seals are shot with guns.

The number of seals lost by white hunters does not exceed six in one hundred, and many hunters lose much less than that number. About half of the seals taken along the coast are cows, and perhaps two-thirds of the cows are with young. Putting a vessel's catch at four hundred, and from one hundred and fifty to one hundred and seventy-five might be cows with young. In Behring's Sea the average of cows with young killed will not average one in one hundred, for the reason that as soon as the cows reach the sea they go to the breeding islands, where their young are born.

I never saw cows in the water with their young with them. I do not think there is any decrease in the number of seal entering Behring's Sea. I never saw so many seal along the coast as there were this year; and in Behring's Sea they were more numerous than I ever saw before. This year I shot forty-four seals and lost one.

WM. O'LEARY.

VICTORIA, BRITISH COLUMBIA, *September* 12, 1889.

CAPTAIN SIEWARD.

I have been a master sealer for two years. In 1888 I commanded the *Araunah* and in 1889 the *Walter L. Rich*, and during both years sealed along the coast from off Point Northward to Behring's Sea. In 1888 I had Indian hunters and this year white hunters. The Indians lose very few seals, for if the spear strike the seal is got, and if the spear misses the seal of course escapes unhurt. The white hunters use rifles and shot-guns, the latter much more than the former. Rifles are used only by good shots, and then at only long range. The seals lost by white hunters after being shot or wounded do not, on the lower coast, exceed six in one hundred, and on the Alaska coast and in the Behring's Sea not over four in one hundred.

On sailing I generally take ten per cent. additional ammunition for waste shot; that is, if calculating on a catch of 3,000 seals I would take ammunition for 3,300 shots. That was double the excess the hunters would consider necessary and I never knew that percentage of waste shot to be used. I never saw a female seal with her young beside her in the water. Out of catch of 1,423 seals this year I had only 55 seals under two years old, *i. e.* between one and two years old.

When at Ounalaska this year I learned that the Alaska Commercial Company last year fitted out two small schooners, belonging to private parties, with large deep nets several hundred fathoms long, which were set across the passes from Behring's Sea for the purpose of catching young seals. One of these schooners got 700 of these young seals about four months old, and sold them to the Alaska Commercial Company at $2.50 apiece.

A schooner, the *Spencer F. Baird*, 10 or 12 tons, was then at Ounalaska fitting up to go to Akoutan Pass for the same purpose this fall. The law forbids the killing of all fur-bearing animals in Alaskan waters by any hunters except the natives, yet such is done every year at Kodiak, Sanaka, and the Aleutian Islands by white hunters, fitted out by the Alaska Commercial Company, under the agreement that the furs must be sold to the company.

H. F. SIEWARD,
Master American Schooner Walter L. Rich.

VICTORIA, BRITISH COLUMBIA, *August* 10, 1889.

GEORGE HOWE.

My first year's sealing, 1886, was on board the *Theresa*, from San Francisco to Victoria. We left San Francisco on the 20th January, and arrived at Victoria on the 7th April. I got 159 seals, of which I lost about 7. I used a shot-gun principally, the rifle only for long range shooting, say from 30 to 60 yards. At Victoria I left the *Theresa* and joined the *Pathfinder*. The *Pathfinder* left Victoria on the 4th of May for Behring's Sea, and that trip I got 442 seals and lost about 20. In 1887 I joined the *Penelope* and left Victoria on the 3d February. I got 618 seals during the season and lost 31. In 1888 I did not go sealing, but in 1889 I was engaged on the schooner *Viva*. We left

Victoria on the 19th January, and I got 734 seals during the season and lost 37. I never saw a young pup alongside its cow in the water.

About one-third of the seals taken on the coast are cows with pup or capable of being with pup. In Behring's Sea I got four cows with pups in them.

GEORGE HOWE.

WILLIAM FEWINGS.

I have beenthree years hunting seals on the Pacific coast and in Behring's Sea. In 1887 I was on board the sealing schooner *Favourite*, in 1888 on the *Viva*, and in 1889 on board the *Triumph*. In each year the vessel I was on entered the Behring's Sea early in July and left the sea the latter part of August or early in September, except this year, when the *Triumph* left the sea on the 11th July under threat of seizure, after searched by the United States cutter *Rush*. In 1887 the hunters I was with were partly Indians and partly whites. In the two last years the hunters were all whites, using shot-guns and rifles. The rifles were used by the more experienced hunters and better shots for long range shooting, up to 100 yards, but few hunters attempted that range. The general range for rifles is not over 50 yards and most shots are made at a less range.

A few hunters used the rifle for all distances. I used either rifle or shot-gun, according to the distance and position of the seal and the condition of the water.

My first year I got about four hundred seals. In getting this number I failed to capture about twenty-five shot at, or killed or wounded, but which escaped. In my second year I got over five hundred, and lost about thirty. This year I got one hundred and forty, and lost only one. I have frequently shot from two to five seal in a bunch, and got them all. One day in 1887 I got two bunches of five each, and another of four, and got the whole fourteen.

Indian hunters use spears, and either get every seal they throw at or it escapes unhurt, or but slightly wounded. Indians, it can be safely said, get every seal they kill.

Oscar Scarr, a hunter on the *Viva*, in 1888 got over six hundred seals, and lost only about twenty. The average number lost by white hunters does not exceed six in one hundred, and by the Indian not six in one thousand. I have never shot, nor have I ever seen, a female seal with a young one beside or with her. It is very seldom a female is killed in Behring's Sea carrying her young with her, and out of one thousand killed on the coast earlier in the season less than one-third are females carrying their young.

WM. FEWINGS.

VICTORIA, BRITISH COLUMBIA, *August* 9, 1889.

WALTER HOUSE.

I was a hunter on the schooner *Walter L. Rich* on her sealing voyage this year. It was my first year on the Pacific coast, but I had seven years' experience on the Newfoundland coast catching hair-seals. This year on the *Rich* I got one hundred and eighty-five seals and lost five, which sank before I reached them. I used a shot-gun. The hunters on the *Rich* lost about the same proportion, some a few more, some less. I never saw a cow seal in the water with her young beside her or near her, nor have I ever heard of such a case.

WALTER HOUSE.

VICTORIA, BRITISH COLUMBIA, *August* 10, 1889.

JAMES WILSON.

I was carpenter on board the sealing schooner *Triumph* on her voyage this year. One of the hunters was drowned just before entering Behring's Sea, and I took his place. I was out hunting seals about a week, but the weather was bad and I got only twenty-three seals. I had had no experience. I used a breech-loading shotgun, and shot seals at a range of from 10 to 15 yards. I lost one seal through the carelessness of the boat hands running the boat over the seal, which sank directly under the boat.

Most of seals lost by hunters are shot at long ranges with the rifles. One hunter on the *Triumph* this year got over sixty seals and only lost one. I never saw a cow seal with her young beside her. Out of the twenty-three I got, five or six were cows carrying their young.

JAMES WILSON.

VICTORIA, BRITISH COLUMBIA, *August* 9, 1889.

CAPT. J. D. WARREN.

I am a master mariner, and have been actively engaged in the deep-sea sealing business for twenty years. I have owned and commanded sealing vessels on voyages along the Pacific coast from 47 or 48 north latitude to 56 or 57 north latitude within Behring Sea. I have generally employed Indians except in 1886 and 1887, the last years, I was out, when I had white hunters as well. White hunters use rifles and shotguns entirely, Indian hunters use spears. Bullets weighing from 300 to 400 grains are used with rifles, and ordinary buckshot with guns. Both rifles and shotguns are breech-loading and of the best make. Seals are approached by the hunters in boats, to 10 or 15 yards, lying generally asleep on the water. Frequently seals are taken alive when asleep, especially by the Indians, who, in their canoes, get within from a spear's length (14 or 15 feet) to 30 feet before they throw. Indians rarely lose a seal they strike, and if one escapes it is always but slightly wounded. Of seals killed by white hunters, probably not over 10 per cent. are killed with rifle, which is generally used for only a long range.

Sealers divide the seals for hunting purposes into two classes, "sleepers" and "feeders" or "travelers. Sleepers" are almost always shot at from 10 to 15 yards range, and are seldom lost. "Feeders" are shot at just as their heads emerge from the water. From this fact the range is always from a few feet to 100 yards, though few are fired at at that distance. Hunters use a "gaff," a pole about 10 or 12 feet long, with one to three hooks upon it, with which they catch the seal and bring it into the boat. If the seal sinks, the "gaff" is run down, and the seal hooked up. The British sealing vessels employ more Indian than white hunters. My experience with white hunters is not so extensive as with Indians, but from what I have seen while engaged in sealing I can say that not over six in every one hundred seals killed by white hunters are lost or escape.

Experienced hunters seldom lose a seal; the losses are chiefly made by inexperienced hunters, only a few of whom are employed, for the reason that as hunters are paid so much a skin, inferior men can not make good wages. I have noticed no diminution in the number of seals during the twenty years I have been in the business, but if any change at all, an increase. Of the seals taken along the coast about one-half are females, and of the females not more than one-half are with young. In Behring Sea not one in one hundred of those taken by the hunters are females with young, because as soon as the females carrying their young get into the sea they go to the breeding islands or rookeries, and in a few days their young are born. The cows remain with their young until they are quite able to take care of themselves. I do not think that out of the seals taken by Indian and white hunters more than 30 per cent. are females actually breeding or capable of breeding.

"Old bulls," "bachelors," "two-year old pups," and "barre cows" make up the great majority. Cows actually breeding are very watchful, and while on the voyage northward are ever on the alert, so they are difficult to take. On the other hand, the other classes above named make up the great class of "sleepers," from which fully 90 per cent. of the whole catch of hunters is derived. I never saw or heard of a "cow" having her young beside her in the water, either on the coast or in Behring Sea.

J. D. WARREN.

VICTORIA, BRITISH COLUMBIA, *August* 10, 1889.

No. 14.

The Marquis of Salisbury to Sir Julian Pauncefote.

[Left at the Department of State on June 5 by Sir Julian Pauncefote.]

No. 106.] FOREIGN OFFICE, *May* 22, 1890.

SIR: I received in due course your dispatch No. 9, of the 23d January, inclosing copy of Mr. Blaine's note of the 22d of that month, in answer to the protest made on behalf of Her Majesty's Government on the 12th October last, against the seizure of Canadian vessels by the United States revenue-cutter *Rush* in Behring Sea.

The importance of the subject necessitated a reference to the Government of Canada, whose reply has only recently reached Her Majesty's Government. The negotiations which have taken place between

Mr. Blaine and yourself afford strong reason to hope that the difficulties attending this question are in a fair way towards an adjustment which will be satisfactory to both Governments. I think it right, however, to place on record, as briefly as possible, the views of Her Majesty's Government on the principal arguments brought forward on behalf of the United States.

Mr. Blaine's note defends the acts complained of by Her Majesty's Government on the following grounds:

1. That "the Canadian vessels arrested and detained in the Behring Sea were engaged in a pursuit that is in itself *contra bonos mores*— a pursuit which of necessity involves a serious and permanent injury to the rights of the Government and people of the United States."

2. That the fisheries had been in the undisturbed possession and under the exclusive control of Russia from their discovery until the cession of Alaska to the United States in 1867, and that from this date onwards until 1886 they had also remained in the undisturbed possession of the United States Government.

3. That it is a fact now held beyond denial or doubt that the taking of seals in the open sea rapidly leads to the extinction of the species, and that therefore nations not possessing the territory upon which seals can increase their numbers by natural growth should refrain from the slaughter of them in the open sea.

Mr. Blaine further argues that the law of the sea and the liberty which it confers do not justify acts which are immoral in themselves, and which inevitably tend to results against the interests and against the welfare of mankind; and he proceeds to justify the forcible resistance of the United States Government by the necessity of defending not only their own traditional and long established rights, but also the rights of good morals and of good government the world over.

He declares that while the United States will not withhold from any nation the privileges which they demanded for themselves, when Alaska was part of the Russian Empire, they are not disposed to exercise in the possessions acquired from Russia any less power or authority than they were willing to concede to the imperial government of Russia when its sovereignty extended over them. He claims from friendly nations a recognition of the same rights and privileges on the lands and in the waters of Alaska which the same friendly nations always conceded to the Empire of Russia.

With regard to the first of these arguments, namely, that the seizure of the Canadian vessels in the Behring's Sea was justified by the fact that they were "engaged in a pursuit that is initself *contra bonos mores*— a pursuit which of necessity involves a serious and permanent injury to the rights of the Government and people of the United States," it is obvious that two questions are involved: first, whether the pursuit and killing of fur-seals in certain parts of the open sea is, from the point of view of international morality, an offense *contra bonos mores;* and secondly, whether if such be the case, this fact justifies the seizure on the high seas and subsequent confiscation in time of peace of the private vessels of a friendly nation.

It is an axiom of international maritime law that such action is only admissible in the case of piracy or in pursuance of special international agreement. This principle has been universally admitted by jurists, and was very distinctly laid down by President Tyler in his special message to Congress, dated the 27th February, 1843, when, after acknowledging the right to detain and search a vessel on suspicion of piracy, he goes on to say: "With this single exception, no nation has,

in time of peace, any authority to detain the ships of another upon the high seas, on any pretext whatever, outside the territorial jurisdiction."

Now, the pursuit of seals in the open sea, under whatever circumstances, has never hitherto been considered as piracy by any civilized state. Nor, even if the United States had gone so far as to make the killing of fur-seals piracy by their municipal law, would this have justified them in punishing offenses against such law committed by any persons other than their own citizens outside the territorial jurisdiction of the United States.

In the case of the slave trade, a practice which the civilized world has agreed to look upon with abhorrence, the right of arresting the vessels of another country is exercised only by special international agreement, and no one Government has been allowed that general control of morals in this respect which Mr. Blaine claims on behalf of the United States in regard to seal-hunting.

But her Majesty's Government must question whether this pursuit can of itself be regarded as *contra bonos mores*, unless and until, for special reasons, it has been agreed by international arrangement to forbid it. Fur-seals are indisputably animals *feræ naturæ*, and these have universally been regarded by jurists as *res nullius* until they are caught; no person, therefore, can have property in them until he has actually reduced them into possession by capture.

It requires something more than a mere declaration that the Government or citizens of the United States, or even other countries interested in the seal trade, are losers by a certain course of proceeding, to render that course an immoral one.

Her Majesty's Government would deeply regret that the pursuit of fur-seals on the high seas by British vessels should involve even the slightest injury to the people of the United States. If the case be proved, they will be ready to consider what measures can be properly taken for the remedy of such injury, but they would be unable on that ground to depart from a principle on which free commerce on the high seas depends.

The second argument advanced by Mr. Blaine is that the "fur-seal fisheries of Behring Sea had been exclusively controlled by the Government of Russia, without interference and without question, from their original discovery until the cession of Alaska to the United States in 1867," and that "from 1867 to 1886 the possession, in which Russia had been undisturbed, was enjoyed by the United States Government also without interruption or intrusion from any source."

I will deal with these two periods separately.

First, as to the alleged exclusive monopoly of Russia. After Russia, at the instance of the Russian-American Fur Company, claimed in 1821 the pursuits of commerce, whaling, and fishing from Behring Straits to the 51st degree of north latitude, and not only prohibited all foreign vessels from landing on the coasts and islands of the above waters, but also prevented them from approaching within 100 miles thereof, Mr. Quincy Adams wrote as follows to the United States minister in Russia:

> The United States can admit no part of these claims; their right of navigation and fishing is perfect, and has been in constant exercise from the earliest times throughout the whole extent of the Southern Ocean, subject only to the ordinary exceptions and exclusions of the territorial jurisdictions.

That the right of fishing thus asserted included the right of killing fur-bearing animals is shown by the case of the United States brig *Loriot*. That vessel proceeded to the waters over which Russia claimed

exclusive jurisdiction for the purpose of hunting the sea-otter, the killing of which is now prohibited by the United States statutes applicable to the fur-seal, and was forced to abandon her voyage and leave the waters in question by an armed vessel of the Russian navy. Mr. Forsyth, writing on the case to the American minister at St. Petersburg on the 4th of May, 1837, said:

> It is a violation of the rights of the citizens of the United States, immemorially exercised and secured to them as well by the law of nations as by the stipulations of the first article of the convention of 1824, to fish in those seas, and to resort to the coast for the prosecution of their lawful commerce upon points not already occupied.

From the speech of Mr. Sumner when introducing the question of the purchase of Alaska to Congress, it is equally clear that the United States Government did not regard themselves as purchasing a monopoly. Having dealt with fur-bearing animals, he went on to treat of fisheries, and after alluding to the presence of different species of whales in the vicinity of the Aleutians said: "No sea is now *mare clausum*; all of these may be pursued by a ship under any flag, except directly on the coast or within its territorial limit."

I now come to the statement that from 1867 to 1886 the possession was enjoyed by the United States with no interruption and no intrusion from any source. Her Majesty's Government can not but think that Mr. Blaine has been misinformed as to the history of the operations in Behring Sea during that period.

The instances recorded in Inclosure 1 in this dispatch are sufficient to prove from official United States sources that from 1867 to 1886 British vessels were engaged at intervals in the fur-seal fisheries with the cognizance of the United States Government. I will here by way of example quote but one.

In 1872 Collector Phelps reported the fitting out of expeditions in Australia and Victoria for the purpose of taking seals in Behring Sea, while passing to and from their rookeries on St. Paul and St. George Islands, and recommended that a steam-cutter should be sent to the region of Ounimak Pass and the islands of St. Paul and St. George.

Mr. Secretary Boutwell informed him, in reply, that he did not consider it expedient to send a cutter to interfere with the operations of foreigners, and stated: "In addition, I do not see that the United States would have the jurisdiction or power to drive off parties going up there for that purpose, unless they made such attempt within a marine league of the shore."

Before leaving this part of Mr. Blaine's argument, I would allude to his remark that "vessels from other nations passing from time to time through Behring's Sea to the Arctic Ocean in pursuit of whales have always abstained from taking part in the capture of seals," which he holds to be proof of the recognition of rights held and exercised first by Russia and then by the United States.

Even if the facts are as stated, it is not remarkable that vessels pushing on for the short season in which whales can be captured in the Arctic Ocean, and being fitted specially for the whale fisheries, neglected to carry boats and hunters for fur-seals or to engage in an entirely different pursuit.

The whalers, moreover, pass through Behring Sea for the fishing grounds in the Arctic Ocean in April and May as soon as the ice breaks up, while the great bulk of the seals do not reach the Pribylov Islands till June, leaving again by the time the closing of the ice compels the whalers to return.

The statement that it is "a fact now held beyond denial or doubt that the taking of seals in the open sea rapidly leads to their extinction" would admit of reply, and abundant evidence could be adduced on the other side. But as it is proposed that this part of the question should be examined by a committee to be appointed by the two Governments, it is not necessary that I should deal with it here.

Her Majesty's Government do not deny that if all sealing were stopped in Behring Sea except on the islands in possession of the lessees of the United States, the seal may increase and multiply at an even more extraordinary rate than at present, and the seal fishery on the island may become a monopoly of increasing value; but they can not admit that this is sufficient ground to justify the United States in forcibly depriving other nations of any share in this industry in waters which, by the recognized law of nations, are now free to all the world.

It is from no disrespect that I refrain from replying specifically to the subsidiary questions and arguments put forward by Mr. Blaine. Till the views of the two Governments as to the obligations attaching, on grounds either of morality or necessity, to the United States Government in this matter, have been brought into closer harmony, such a course would appear needlessly to extend a controversy which Her Majesty's Government are anxious to keep within reasonable limits.

The negotiations now being carried on at Washington prove the readiness of Her Majesty's Government to consider whether any special international agreement is necessary for the protection of the fur-sealing industry. In its absence they are unable to admit that the case put forward on behalf of the United States affords any sufficient justification for the forcible action already taken by them against peaceable subjects of Her Majesty engaged in lawful operations on the high seas.

"The President," says Mr. Blaine, "is persuaded that all friendly nations will concede to the United States the same rights and privileges on the lands and in the waters of Alaska which the same friendly nations always conceded to the Empire of Russia."

Her Majesty's Government have no difficulty in making such a concession. In strict accord with the views which, previous to the present controversy, were consistently and successfully maintained by the United States, they have, whenever occasion arose, opposed all claims to exclusive privileges in the non-territorial waters of Behring Sea. The rights they have demanded have been those of free navigation and fishing in waters which, previous to their own acquisition of Alaska, the United States declared to be free and open to all foreign vessels.

That is the extent of their present contention and they trust that, on consideration of the arguments now presented to them, the United States will recognize its justice and moderation.

I have to request that you will read this dispatch to Mr. Blaine and leave a copy of it with him should he desire it.

I am, etc.,

SALISBURY.

[Inclosure.]

In 1870 Collector Phelps reported "the barque *Cyane* has arrived at this port (San Francisco) from Alaska, having on board 47 seal skins." (See Ex. Doc. No. 83, Forty-fourth Congress, first session.)

In 1872 he reported expeditions fitting out in Australia and Victoria for the purpose of taking seals in Behring Sea, and was informed that it was not expedient to interfere with them.

In 1874 Acting Secretary Sawyer, writing to Mr. Elliott, special agent, said:

"It having been officially reported to this Department by the collector of customs at Port Townsend, from Neea-ah Bay, that British vessels from Victoria cross over into American waters and engage in taking fur seals (which he represents are annually becoming more numerous on our immediate coast) to the great injury of our sealers, both white and Indian, you will give such proper attention to the examination of the subject as its importance may seem to you, after careful inquiry, to demand, and with a view to a report to the Department of all facts ascertained." (Ditto, May 4, No. 117, p. 114.)

In 1875, Mr. McIntyre, Treasury agent, described how "before proceeding to harsh measures" he had warned the captain of the *Cygnet*, who was shooting seals in Zapadnee Bay, and stated that the captain appeared astonished that he was breaking the law. (Ditto, March 15, 1875, No. 130, p. 124.)

In 1880, the fur-seal trade of the British Columbia coast was of great importance. Seven vessels were then engaged in the fishery, of which the greater number were, in 1886 and 1887, seized by the United States Government in Behring Sea.

In 1884, Daniel and Alexander McLean, both British subjects, took the American schooner *San Diego* to Behring Sea, and were so successful that they returned there in 1885, from Victoria, with the *Mary Ellen* and the *Favourite*.

No 15.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *May* 23, 1890.

SIR: I have the honor to inform you that a statement having appeared in the newspapers to the effect that the United States revenue cruisers have received orders to proceed to Behring Sea for the purpose of preventing the exercise of the seal fishery by foreign vessels in non-territorial waters, and that statement having been confirmed yesterday by you, I am instructed by the Marquis of Salisbury to state to you that a formal protest by Her Majesty's Government against any such interference with British vessels will be forwarded to you without delay.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 16.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, May 26, 1890.

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, in which you inform me that Her Britannic Majesty's Government will formally protest against certain action recently taken by this Government for the protection of the Alaskan seal fisheries.

I have, etc.,

JAMES G. BLAINE.

No. 17.

Mr. Blaine to Sir Julian Pauncefote

DEPARTMENT OF STATE,
Washington, May 29, 1890.

SIR: Your note of the 23d instant, already acknowledged, informs this Government that you "have been instructed by the Marquis of Salisbury to state that Her Majesty's Government would forward without delay a protest" against the course which this Government has found it necessary, under the laws of Congress, to pursue in the waters of the Behring Sea.

In turn, I am instructed by the President to protest against the course of the British Government in authorizing, encouraging, and protecting vessels which are not only interfering with American rights in the Behring Sea, but which are doing violence as well to the rights of the civilized world. They are engaged in a warfare against seal life, disregarding all the regulations which lead to its protection and committing acts which lead ultimately to its destruction, as has been the case in every part of the world where the abuses which are now claimed as British rights have been practiced.

The President is surprised that such protest should be authorized by Lord Salisbury, especially because the previous declarations of his lordship would seem to render it impossible. On the 11th day of November, 1887, Lord Salisbury, in an official interview with the minister from the United States (Mr. Phelps), cordially agreed that "a code of regulations should be adopted for the preservation of the seals in Behring Sea from destruction at improper times, by improper means, by the citizens of either country." And Lord Salisbury suggested that Mr. Phelps "should obtain from his Government and submit to him (Lord Salisbury) a sketch of a system of regulations which would be adequate for the purpose." Further interviews were held during the following month of February (1888) between Lord Salisbury and the American minister, and between Lord Salisbury and the American minister accompanied by the Russian ambassador. In answer to Lord Salisbury's request Mr. Phelps submitted the "regulations" which the Government of the United States desired; and in a dispatch of February 25 Mr. Phelps communicated the following to Mr. Bayard, Secretary of State:

Lord Salisbury assents to your proposition, to establish by mutual arrangement between the governments interested, a close time for fur seals, between April 15 and November 1, and between 160 degrees of longitude west and 170 degrees of longitude east in the Behring Sea. And he will cause an act to be introduced into Parliament to give effect to this arrangement so soon as it can be prepared. In his opinion there is no doubt that the act will be passed.

He will also join the United States Government in any preventive measures it may be thought best to adopt, by orders issued to the naval vessels of the respective governments in that region.

Early in April (1888) the Russian ambassador, Mr. de Staal, advised the American chargé "that the Russian Government would like to have the regulations which might be agreed upon for the Behring Sea extended to that portion of the latter in which the Commander Islands are situated, and also to the Sea of Okhotsk, in which Robben Island is situated."

On the 16th of April, at Lord Salisbury's invitation, the Russian ambassador and Mr. White, the American chargé (Mr. Phelps being absent from London) met at the foreign office "for the purpose of discussing

with Lord Salisbury the details of the proposed conventional arrangement for the protection of seals in Behring Sea."

"With a view to meeting the Russian Government's wishes respecting the waters surrounding Robben Island, his lordship suggested that beside the whole of Behring Sea those portions of the Sea of Okhotsk and of the Pacific Ocean north of north latitude 47, should be included in the proposed arrangement. His lordship intimated furthermore, that the period proposed by the United States for a close time, from April 15 to November 1, might interfere with the trade longer than absolutely necessary for the protection of seals, and he suggested October 1, instead of a month later, as the termination of the period of seal protection." Furthermore, Lord Salisbury "promised to have a draft convention prepared for submission to the Russian ambassador and the American minister."

On the 23d of April the American chargé was informed by Lord Salisbury that "it is now proposed to give effect to a seal convention by order in council, not by act of Parliament." It was understood that this course was proposed by Lord Salisbury in order that the regulations needed in Behring Sea might be promptly applied.

You will observe, then, that from the 11th of November, 1887, to the 23d of April, 1888, Lord Salisbury had in every form of speech assented to the necessity of a close season for the protection of the seals.

The shortest period which he named was from the 15th of April to the 1st of October—five and one-half months. In addition, his lordship suggested that the closed sea for the period named should include the whole of the Behring Sea and should also include such portion of the Sea of Okhotsk as would be necessary to protect the Russian seal fishery on Robben Island; that the closed season be extended as far south as the 47th degree of north latitude—120 miles south of the northern boundary of the United States on the Pacific Ocean. He promised further to draft a convention upon the subject between England, Russia, and the United States.

These assurances were given to the American minister, to the American chargé, to the Russian ambassador, and on more than one occasion to two of them together. The United States had no reason, therefore, to doubt that the whole dispute touching the seal fisheries was practically settled. Indeed to have distrusted it would have been to question the good faith of Lord Salisbury. In diplomatic intercourse between Great Britain and the United States, be it said to the honor of both governments, a verbal assurance from a minister has always been equal to his written pledge. Speaking the same language, there has been no room for misunderstanding between the representatives of the two governments, as may easily happen between those of different tongues. For a period of six months, therefore, without retraction or qualification, without the suggestion of a doubt or the dropping of a hint, the understanding between the two governments, on the assurance of Lord Salisbury, was as complete as language could make it.

On the 28th of April, five days after Lord Salisbury's last pointed assurance, five days after he had proposed to perfect the scheme, not by the delay of Parliament, but by the promptness of an order in council, the American chargé was informed that the act of Parliament would be necessary in addition to the order in council, and that neither act nor order could be drafted "until Canada is heard from."

For several weeks following April 28th, there were many calls by the American chargé at the foreign office to learn whether "Canada had been heard from." He called alone and called in company with the Rus-

sian ambassador. Finally, on the 20th of June, Lord Salisbury told him that an urgent telegram had been "sent to Canada a week ago with respect to the delay in its expedition," and that a reply had been "received by the secretary of state for the colonies, saying that the matter will be taken up immediately." Mr. White, relying entirely upon these assurances, ventured to "hope that shortly after Mr. Phelps' return the British Government will be in a condition to agree upon the terms of the proposed convention."

Mr. Phelps returned to London on the 22d of June, two days after Mr. White's interview with Lord Salisbury, and immediately after the urgent telegram had been sent to Canada. On the 28th of July Mr. Phelps had received no assurances from Lord Salisbury, and telegraphed the department of state his "fear that owing to Canadian opposition we shall get no convention." In a dispatch to his Government of the 12th of September, he related having had interviews with Lord Salisbury respecting the convention, which, he says, had been "virtually agreed upon, except in its details." Mr. Phelps goes on to say:

> The consideration of it has been suspended for communication by the British Government with the Canadian government, for which purpose an interval of several months had been allowed to elapse. During this long interval the attention of Lord Salisbury had been repeatedly called to the subject by the American legation, and on those occasions the answer received from him was that no reply from the Canadian authorities had arrived.

Mr. Phelps proceeds in the dispatch of September 12 to say:

> I again pressed Lord Salisbury for the completion of the convention, as the extermination of seals by the Canadian vessels was understood to be rapidly proceeding. His lordship, in reply, did not question the propriety or the importance of taking measures to prevent the wanton destruction of so a valuable industry, in which, as he remarked, England had a large interest of its own; but his lordship stated that the Canadian government objected to any such restrictions, and that until its consent could be obtained Her Majesty's Government was not willing to enter into the convention.

It was thus finally acknowledged that the negotiation into which Lord Salisbury had cordially entered, and to which he had readily agreed, even himself suggesting some of its most valuable details, was entirely subordinated to the judgment and desire of the Canadian government. This Government can not but feel that Lord Salisbury would have dealt more frankly if, in the beginning, he had informed Minister Phelps that no arrangement could be made unless Canada concurred in it, and that all negotiation with the British Government direct was but a loss of time.

When you, Mr. minister, arrived in this country a year ago, there seemed the best prospect for a settlement of this question, but the Russian minister and the American Secretary of State have had the experiences of Mr. Phelps and the Russian ambassador in London repeated. In our early interviews there seemed to be as ready a disposition on your part to come to a reasonable and friendly adjustment as there has always been on our part to offer one. You will not forget an interview between yourself, the Russian minister, and myself, in which the lines for a close season in the Behring Sea laid down by Lord Salisbury were almost exactly repeated by yourself, and were inscribed on maps which were before us, a copy of which is in the possession of the Russian minister, and a copy also in my possession. A prompt adjustment seemed practicable—an adjustment which I am sure would have been honorable to all the countries interested. No obstacles were presented on the American side of the question. No insistance was made upon

the Behring Sea as *mare clausum;* no objection was interposed to the entrance of British ships at all times on all commercial errands through all the waters of the Behring Sea. But our negotiations, as in London, were suddenly broken off for many weeks by the interposition of Canada. When correspondence was resumed on the last day of April, you made an offer for a mixed commission of experts to decide the questions at issue.

Your proposition is that pelagic sealing should be prohibited in the Behring Sea during the months of May, June, October, November, and December, and that there should be no prohibition during the months of July, August, and September. Your proposition involved the condition that British vessels should be allowed to kill seals within 10 miles of the coast of the Pribylov Islands. Lord Salisbury's proposition of 1888 was that during the same months, for which the 10-mile privilege is now demanded, no British vessel hunting seals should come nearer to the Pribylov Islands than the 47th parallel of north latitude, about 600 miles.

The open season which you thus select for killing is the one when the areas around the breeding islands are most crowded with seals, and especially crowded with female seals going forth to secure food for the hundreds of thousands of their young of which they have recently been delivered. The destruction of the females which, according to expert testimony, would be 95 per cent. of all which the sealing vessels might readily capture, would inflict deadly loss upon the rookeries. The destruction of the females would be followed by the destruction of their young on the islands, and the herds would be diminished the next year by this wholesale slaughter of the producing females and their offspring.

The 10-mile limit would give the marauders the vantage ground for killing the seals that are in the water by tens of thousands searching for food. The opportunity, under cover of fog and night, for stealing silently upon the islands and slaughtering the seals within a mile or even less of the keeper's residence, would largely increase the aggregate destruction. Under such conditions the British vessels could evenly divide with the United States, within the 3-mile limit of its own shores and upon the islands themselves, the whole advantage of the seal fisheries. The respect which the sealing vessels would pay to the 10-mile limit would be the same that wolves pay to a flock of sheep so placed that no shepherd can guard them. This arrangement, according to your proposal, was to continue for three months of each year, the best months in the season for depredations upon the seal herd. No course was left to the United States or to Russia but to reject the proposition.

The propositions made by Lord Salisbury in 1888 and the propositions made by Her Majesty's minister in Washington in 1890 are in significant contrast. The circumstances are the same, the conditions are the same, the rights of the United States are the same in both years. The position of England has changed, because the wishes of Canada have demanded the change. The result then with which the United States is expected to be content is that her rights within the Behring Sea and on the islands thereof are not absolute, but are to be determined by one of Her Majesty's provinces.

The British Government would assuredly and rightfully complain if an agreement between her representative and the representative of the United States should, without notice, be broken off by the United States on the ground that the State of California was not willing that it should be completed. California has a governor chosen independently of the

executive power of the National Government; Canada has a governor appointed by the British Crown. The legislature of California enacts laws with which the executive power of the United States has no right whatever to interfere; Canada enacts laws with which the executive power of Great Britain can interfere so far as absolutely to annul. Can the Government of the United States be expected to accept as final a decision of the Government of Great Britain that an agreement with the United States can not be fulfilled because the province of Canada objects?

This review of the circumstances which led to the present troubles on the Behring Sea question, has been presented by direction of the President in order to show that the responsibility does not rest with this Government. The change of policy made by Her Majesty's Government without notice and against the wish of this Government, is in the President's belief the cause of all the differences that have followed. I am further instructed by the President to say that while your proposals of April 30 can not be accepted, the United States will continue the negotiation in hope of reaching an agreement that may conduce to a good understanding and leave no cause for future dispute. In the President's opinion, owing to delays for which this Government is not responsible, it is too late to conclude such negotiation in time to apply its result the present season. He therefore proposes that Her Majesty's Government agree not to permit the vessels (which in his judgment do injury to the property of the United States) to enter the Behring Sea for this season, in order that time may be secured for negotiation that shall not be disturbed by untoward events or unduly influenced by popular agitation. If this offer be accepted, the President believes that before another season shall open, the friendly relations existing between the two countries and the mutual desire to continue them, will lead to treaty stipulations which shall be permanent, because just and honorable to all parties.

I have, etc.,

JAMES G. BLAINE.

No. 18.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 2, 1890.

MY DEAR SIR JULIAN: I have had a prolonged interview with the President on the matters upon which we are endeavoring to come to an agreement touching the fur-seal question. The President expresses the opinion that an arbitration can not be concluded in time for this season. Arbitration is of little value unless conducted with the most careful deliberation. What the President most anxiously desires to know is whether Lord Salisbury, in order to promote a friendly solution of the question, will make for a single season the regulation which in 1888 he offered to make permanent. The President regards that as the step which will lead most certainly and most promptly to a friendly agreement between the two Governments.

I have, etc.,

JAMES G. BLAINE.

No. 19.

Sir Julian Pauncefote to Mr. Blaine.

BRITISH LEGATION,
Washington, D. C., June 3, 1890.

DEAR MR. BLAINE: In reply to your letter of yesterday evening, touching the fur-seal question, I beg to state that I am in a position to answer at once the inquiry "Whether Lord Salisbury, in order to promote a friendly solution of the question, will make for a single season the regulation which in 1888 he offered to make permanent."

The words which I quote from your letter have reference no doubt to the proposal of the United States that British sealing vessels should be entirely excluded from the Behring Sea during the seal fishery season. I shall not attempt to discuss here whether what took place in the course of the abortive negotiations of 1888 amounted to an offer on the part of Lord Salisbury "to make such a regulation permanent."

It will suffice for the present purpose to state that the further examination of the question which has taken place has satisfied His Lordship that such an extreme measure as that proposed in 1888 goes far beyond the requirements of the case.

Her Majesty's Government are quite willing to adopt all measures which shall be satisfactorily proved to be necessary for the preservation of the fur-seal species, and to enforce such measures on British subjects by proper legislation. But they are not prepared to agree to such a regulation as is suggested in your letter for the present fishery season, as, apart from other considerations, there would be no legal power to enforce its observance on British subjects and British vessels.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 20.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 4, 1890.

SIR: I have your favor of the 2d instant. The President sincerely regrets that his considerate and most friendly proposal for adjustment of all troubles connected with the Behring Sea should be so promptly rejected. The paragraph in your note in which you refer to Lord Salisbury's position needs explanation. I quote it in full:

> It will suffice for the present purpose to state that the further examination of the question which has taken place has satisfied His Lordship that such an extreme measure as that proposed in 1888 goes far beyond the requirements of the case.

I do not know what may have been the "examination of the question" that "has satisfied Lord Salisbury that such an extreme measure as that proposed in 1888 goes far beyond the requirements of the case." I only know that the most extreme measure proposed came from Lord Salisbury himself in suggesting a close season as far south as the forty-seventh parallel of latitude, to last from April 15 to October 1 in each year.

At the close of his negotiations with Mr. Phelps in September, 1888, His Lordship, still approving the "measures to prevent the wanton

destruction of so valuable an industry," declared, apparently with regret, that "the Canadian Government objected to any such restrictions" (*i. e.*, as those which His Lordship had in part proposed and wholly approved), and that "until its consent would be obtained Her Majesty's Government was not willing to enter into the convention." It is evident, therefore, that in 1888 Lord Salisbury abruptly closed the negotiations because in his own phrase "the Canadian Government objected." He assigned no other reason whatever, and until your note of the 2d was received this Government had never been informed that His Lordship entertained any other objections than those expressed in September, 1888.

It is proper to recall to your recollection that at divers times in personal conversation I have proposed to you, on behalf of this Government, a close season, materially shorter, in point of time, than was voluntarily offered by Lord Salisbury and much less extended in point of space. Instead of going as far south as the forty-seventh parallel I have frequently indicated the willingness of this Government to take the dividing line between the Pacific Ocean and the Behring Sea—the line which is tangent to the southernmost island of the Aleutian group—being as near as may be the fiftieth parallel of north latitude.

Early in April you will remember that you suggested to me the advantage that might follow if the sailing of the revenue cutters for Behring Sea could be postponed till the middle of May. Though that was a matter entirely under the control of the Treasury Department, Secretary Windom promptly complied with your request, and by the President's direction a still longer postponement was ordered in the hope that some form of equitable adjustment might be proposed by Her Majesty's Government. Even the revenue cutter, which annually passes through Behring Sea carrying supplies to the relief station at Point Barrow in the Arctic Ocean—seventy-second degree of North latitude—was held back lest her appearance in Behring Sea might be misrepresented as a non-observance of the understanding between us.

It is perfectly clear that if your claim for British vessels to kill seals within 10 miles of the Pribylov Islands, directly after the mothers are delivered of their young, should be granted, the Behring Sea would swarm with vessels engaged in sealing—not forty or fifty, as now, but many hundreds, through the summer months. If that privilege should be given to Canadian vessels, it must, of course, be conceded at once to American vessels. If the rookeries are to be thrown open to Canadians, they would certainly, as matter of common right, be thrown open to citizens of the United States. The seal mothers, which require an area of from 40 to 50 miles from the islands, on all sides, to secure food for their young, would be slaughtered by hundreds of thousands, and in a brief space of time there would be no seals in the Behring Sea. Similar causes have uniformly produced similar effects. Seal rookeries in all parts of the world have been destroyed in that way. The present course of Great Britain will produce the same effect on the only seal rookery of any value left in the waters of the oceans and seas of the globe. The United States have leased the privilege of sealing because only in that way can the rookeries be preserved, and only in that way can this Government derive a revenue from the Pribylov Islands. Great Britain would perhaps gain something for a few years, but it would be at the expense of destroying a valuable interest belonging to a friendly nation—an interest which the civilized world desires to have preserved.

I observe that you quote Treasury Agent George R. Tingle in your dispatch of April 30 as showing that, notwithstanding the depredations

of marauders, the total number of seals had increased in the Behring Sea. The rude mode of estimating the total number can readily lead to mistakes; and other agents have differed from Mr. Tingle. But aside from the correctness or incorrectness of Mr. Tingle's conclusions on that point, may I ask upon what grounds do the Canadian vessels assert a claim, unless they assume that they have a title to the increase of the seal herd? If the claim of the United States to the seals of the Pribylov islands be well founded, we are certainly entitled to the increase as much as a sheep-grower is entitled to the increase of his flock.

Having introduced Mr. Tingle, who has very extensive knowledge touching the seals in Behring Sea, as well as the habits of the Canadian marauders, I trust you will not discredit his testimony. The following statement made by Mr. Tingle in his official report to the Treasury Department at the close of the season of 1887 is respectfully commended to your consideration:

> I am now convinced from what I gather in questioning the men belonging to captured schooners and from reading the logs of the vessels, that not more than one seal in ten killed and mortally wounded is landed on the boats and skinned; thus you will see the wanton destruction of seal life without any benefit whatever. I think 30,000 skins taken this year is a low estimate on this basis; 300,000 fur-seals were killed to secure that number, or three times as many as the Alaska Commercial Company are allowed by law to kill. You can readily see that this great slaughter of seals will, in a few years, make it impossible for 100,000 skins to be taken on the islands by the lessees. I earnestly hope more rigorous measures will be adopted by the Government in dealing with these destructive law-breakers.

Both of Mr. Tingle's statements are made in his official capacity, and in both cases he had no temptation to state anything except what he honestly believed to be the truth.

The President does not conceal his disappointment that even for the sake of securing an impartial arbitration of the question at issue, Her Majesty's Government is not willing to suspend, for a single season, the practice which Lord Salisbury described in 1888 as "the wanton destruction of a valuable industry," and which this Government has uniformly regarded as an unprovoked invasion of its established rights.

I have, etc.,

JAMES G. BLAINE.

No. 21.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 6, 1890.

SIR: I have the honor to acknowledge the receipt of your official note of the 4th instant, commenting upon the reply which I returned to the inquiry contained in your letter of the 2d instant, whether the Marquis of Salisbury would, in order to promote a friendly solution of the fur-seal question, agree to the total exclusion of British sealers from the Behring Sea during the present fishery season. You express the regret of the President that "his considerate and most friendly proposal for the adjustment of all trouble connected with the Behring Sea should be so promptly rejected."

I have this day transmitted a copy of your note to Lord Salisbury, and pending further instructions I will abstain from pursuing the discussion on the various points with which it deals, especially as the

views of Her Majesty's Government on the main questions involved are stated with great precision in Lord Salisbury's dispatch of the 22d of May, which I had the honor to read to you yesterday, and of which, in accordance with your desire, I left a copy in your hands. I would only observe that as regards the sufficiency or insufficiency of the radius of ten miles around the rookeries "within which Her Majesty's Government proposed that sealers should be excluded" no opportunity was afforded me of discussing the question before the proposals of Her Majesty's Government were summarily rejected.

I may mention, also, that I fear there has been some misapprehension as regards a request which you appear to have understood me to make respecting the date of the sailing of United States revenue-cutters for Behring Sea. I have no recollection of having made any suggestion with reference to those revenue-cutters, except that their commanders should receive explicit instructions not to apply the municipal law of the United States to British vessels in Behring Sea outside of territorial waters.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 22.

Sir Julian Pauncefote to Mr. Blaine.

[Extract from telegram from the Marquis of Salisbury.]

(Received June 9, 1890.)

Lord Salisbury regrets that the President of the United States should think him wanting in conciliation, but his lordship can not refrain from thinking that the President does not appreciate the difficulty arising from the law of England.

It is entirely beyond the power of Her Majesty's Government to exclude British or Canadian ships from any portion of the high seas, even for an hour, without legislative sanction. Her Majesty's Government have always been willing, without pledging themselves to details on the questions of area and date, to carry on negotiations, hoping thereby to come to some arrangement for such a close season as is necessary in order to preserve the seal species from extinction, but the provisions of such an arrangement would always require legislative sanction so that the measures thereby determined may be enforced.

Lord Salisbury does not recognize the expressions attributed to him. He does not think that he can have used them, at all events, in the context mentioned.

No. 23.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 11, 1890.

SIR: I have shown to the President the extract from the telegram of Lord Salisbury of June 9, in which his lordship states that "it is beyond the power of Her Majesty's Government to exclude British or

Canadian ships from any portion of the high seas, even for an hour, without legislative sanction."

Not stopping to comment upon the fact that his lordship assumes the waters surrounding the Pribylov Islands to be the "high seas," the President instructs me to say that it would satisfy this Government if Lord Salisbury would by public proclamation simply request that vessels sailing under the British flag should abstain fron entering the Behring Sea for the present season. If this request shall be complied with, there will be full time for impartial negotiations, and, as the President hopes, for a friendly conclusion of the differences between the two Governments.

I have, etc.,

JAMES G. BLAINE.

No. 24.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 11, 1890.

SIR: I have the honor to acknowledge your note of this day with reference to the passage in a telegram from the Marquis of Salisbury, which I communicated to you at our interview of the 9th instant, to the effect that "it is beyond the power of Her Majesty's Government to exclude British or Canadian ships from any portion of the high seas, even for an hour without legislative action."

You inform me that without commenting on the fact that his lordship assumes the waters surrounding the Pribylov Islands to be the high seas, the President instructs you to say that it would satisfy your Government if Lord Salisbury would by public proclamation simply request that vessels sailing under the British flag should abstain from entering the Behring Sea for the present season. You add, if this request shall be complied with, there will be full time for impartial negotiations, and, as the President hopes, for a friendly conclusion of the differences between the two Governments.

I have telegraphed the above communication to Lord Salisbury, and I await his lordship's instructions thereon. In the meanwhile I take this opportunity of informing you that I reported to his lordship, by telegraph, that at the same interview I again pressed you for an assurance that British sealing vessels would not be interfered with in the Behring Sea by United States revenue cruisers while the negotiations continued, but you replied that you could not give such assurance. I trust this is not a final decision, and that in the course of the next few days, while there is yet time to communicate with the commanders, instructions will be sent to them to abstain from such interference.

It is in that hope that I have delayed delivering the formal protest of Her Majesty's Government announced in my note of the 23d of May.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 25.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 14, 1890.

SIR: With reference to the note which I had the honor to address to you on the 11th instant, I desire to express my deep regret at having failed up to the present time to obtain from you the assurance, which I had hoped to receive, that during the continuance of our negotiations for the settlement of the fur-seal fishery question British sealing vessels would not be interfered with by United States revenue cruisers in the Behring Sea outside of territorial waters.

Having learned from statements in the public press and from other sources that the revenue cruisers *Rush* and *Corwin* are now about to be dispatched to the Behring Sea, I can not, consistently with the instructions I have received from my Government, defer any longer the communication of their formal protest announced in my notes of the 23d ultimo and the 11th instant against any such interference with British vessels.

I have accordingly the honor to transmit the same herewith.

I have, etc.

JULIAN PAUNCEFOTE.

[Inclosure.]

Protest.

(Received June 14, 12.35, 1890.)

The undersigned, Her Britannic Majesty's envoy extraordinary and minister plenipotentiary to the United States of America, has the honor, by instruction of his Government, to make to the Hon. James G. Blaine, Secretary of State of the United States, the following communication:

Her Britannic Majesty's Government have learned with great concern from notices which have appeared in the press, and the general accuracy of which has been confirmed by Mr. Blaine's statements to the undersigned, that the Government of the United States have issued instructions to their revenue cruisers about to be despatched to Behring Sea, under which the vessels of British subjects will again be exposed, in the prosecution of their legitimate industry on the high seas, to unlawful interference at the hands of American officers.

Her Britannic Majesty's Government are anxious to co-operate to the fullest extent of their power with the Government of the United States in such measures as may be found to be expedient for the protection of the seal fisheries. They are at the present moment engaged in examining, in concert with the Government of the United States, the best method of arriving at an agreement upon this point. But they can not admit the right of the United States of their own sole motion to restrict for this purpose the freedom of navigation of Behring Sea, which the United States have themselves in former years convincingly and successfully vindicated, nor to enforce their municipal legislation against British vessels on the high seas beyond the limits of their territorial jurisdiction.

Her Britannic Majesty's Government are therefore unable to pass over without notice the public announcement of an intention on the

part of the Government of the United States to renew the acts of interference with British vessels navigating outside the territorial waters of the United States, of which they have previously have to complain.

The undersigned is in consequence instructed formally to protest against such interference, and to declare that Her Britannic Majesty's Government must hold the Government of the United States responsible for the consequences that may ensue from acts which are contrary to the established principles of international law.

The undersigned, etc.,

JULIAN PAUNCEFOTE.

JUNE 14, 1890.

No. 26.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 27, 1890.

SIR: I did not fail to transmit to the Marquis of Salisbury a copy of your note of the 11th instant, in which, with reference to his lordship's statement that British legislation would be necessary to enable Her Majesty's Government to exclude British vessels from any portion of the high seas "even for an hour," you informed me, by desire of the President, that the United States Government would be satisfied "if Lord Salisbury would by public proclamation simply request that vessels sailing under the British flag should abstain from entering the Behring Sea during the present season."

I have now the honor to inform you that I have been instructed by Lord Salisbury to state to you in reply that the President's request presents constitutional difficulties which would preclude Her Majesty's Government from acceding to it, except as part of a general scheme for the settlement of the Behring Sea controversy, and on certain conditions which would justify the assumption by Her Majesty's Government of the grave responsibility involved in the proposal.

Those conditions are:

I. That the two Governments agree forthwith to refer to arbitration the question of the legality of the action of the United States Government in seizing or otherwise interfering with British vessels engaged in the Behring Sea, outside of territorial waters, during the years 1886, 1887, and 1889.

II. That, pending the award, all interference with British sealing vessels shall absolutely cease.

III. That the United States Government, if the award should be adverse to them on the question of legal right, will compensate British subjects for the losses which they may sustain by reason of their compliance with the British proclamation.

Such are the three conditions on which it is indispensable, in the view of Her Majesty's Government, that the issue of the proposed proclamation should be based.

As regards the compensation claimed by Her Majesty's Government for the losses and injuries sustained by British subjects by reason of the action of the United States Government against British sealing vessels in the Behring Sea during the years 1886, 1887, and 1889, I have already informed Lord Salisbury of your assurance that the United States Government would not let that claim stand in the way of an amicable ad-

justment of the controversy, and I trust that the reply which, by direction of Lord Salisbury, I have now the honor to return to the President's inquiry, may facilitate the attainment of that object for which we have so long and so earnestly labored.

I have, etc.,

JULIAN PAUNCEFOTE.

No. 27.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, June 30, 1890.

SIR: On the 5th instant you read to me a dispatch from Lord Salisbury dated May 22, and by his instruction you left with me a copy. His Lordship writes in answer to my dispatch of the 22d January last. At that time, writing to yourself touching the current contention between the Governments of the United States and Great Britain as to the jurisdiction of the former over the waters of the Behring Sea, I made the following statement:

> The Government of the United States has no occasion and no desire to withdraw or modify the positions which it has at any time maintained against the claims of the Imperial Government of Russia. The United States will not withhold from any nation the privileges which it demanded for itself when Alaska was part of the Russian Empire. Nor is the Government of the United States disposed to exercise any less power or authority than it was willing to concede to the Imperial Government of Russia when its sovereignty extended over the territory in question. The President is persuaded that all friendly nations will concede to the United States the same rights and privileges on the lands and in the waters of Alaska which the same friendly nations always conceded to the Empire of Russia.

In answer to this declaration Lord Salisbury contends that Mr. John Quincy Adams, when Secretary of State under President Monroe, protested against the jurisdiction which Russia claimed over the waters of Behring Sea. To maintain this position his lordship cites the words of a dispatch of Mr. Adams, written on July 23, 1823, to Mr. Henry Middleton, at that time our minister at St. Petersburg. The alleged declarations and admissions of Mr. Adams in that dispatch have been the basis of all the arguments which Her Majesty's Government has submitted against the ownership of certain properties in the Behring Sea which the Government of the United States confidently assumes. I quote the portion of Lord Salisbury's argument which includes the quotation from Mr. Adams:

> After Russia, at the instance of the Russian-American Fur Company, claimed in 1821 the pursuits of commerce, whaling, and fishing from Behring's Straits to the 51st degree of north latitude, and not only prohibited all foreign vessels from landing on the coasts and islands of the above waters, but also prevented them from approaching within 100 miles thereof, Mr. Quincy Adams wrote as follows to the United States minister in Russia:
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> "The United States can admit no part of these claims; their right of navigation and fishing is perfect, and has been in constant exercise from the earliest times throughout the whole extent of the Southern Ocean, subject only to the ordinary exceptions and exclusions of the territorial jurisdictions."

The quotation which Lord Salisbury makes is unfortunately a most defective, erroneous, and misleading one. The conclusion is separated from the premise, a comma is turned into a period, an important qualification as to time is entirely erased without even a suggestion that it

had ever formed part of the text, and out of eighty-four words, logically and inseparably connected, thirty-five are dropped from Mr. Adams' paragraph in Lord Salisbury's quotation. No edition of Mr. Adams' work gives authority for his lordship's quotation; while the archives of this Department plainly disclose its many errors. I requote Lord Salisbury's version of what Mr. Adams said, and in juxtaposition produce Mr. Adams's full text as he wrote it:

[Lord Salisbury's quotation from Mr. Adams.]

The United States can admit no part of these claims; their right of navigation and fishing is perfect, and has been in constant exercise from the earliest times throughout the whole extent of the Southern Ocean, subject only to the ordinary exceptions and exclusions of the territorial jurisdictions.

[Full text of Mr. Adams' paragraph.]

The United States can admit no part of these claims. Their right of navigation and of fishing is perfect, and has been in constant exercise from the earliest times, *after the peace of* 1783, throughout the whole extent of the Southern Ocean, subject only to the ordinary exceptions and exclusions of the territorial jurisdictions, *which so far as Russian rights are concerned, are confined to certain islands north of the fifty-fifth degree of latitude, and have no existence on the continent of America.*

The words in italics are those which are left out of Mr. Adams' paragraph in the dispatch of Lord Salisbury. They are precisely the words upon which the Government of the United States founds its argument in this case. Conclusions or inferences resting upon the paragraph, with the material parts of Mr. Adams' text omitted, are of course valueless.

The first object is to ascertain the true meaning of Mr. Adams' words which were omitted by Lord Salisbury. "Russian rights," said Mr. Adams, "are confined to certain islands north of the 55th degree of latitude." The islands referred to are as easily recognized to-day as when Mr. Adams described their situation sixty-seven years ago. The best known among them, both under Russian and American jurisdiction, are Sitka and Kadiak; but their whole number is great. If Mr. Adams literally intended to confine Russian rights to those islands, all the discoveries of Vitus Behring and other great navigators are brushed away by one sweep of his pen, and a large chapter of history is but a fable.

But Mr. Adams goes still farther. He declares that "Russian rights have no existence on the continent of America." If we take the words of Mr. Adams with their literal meaning, there was no such thing as "Russian Possessions in America," although forty-four years after Mr. Adams wrote these words, the United States paid Russia seven millions two hundred thousand dollars for these "Possessions" and all the rights of land and sea connected therewith.

This construction of Mr. Adams' language can not be the true one. It would be absurd on its face. The title to that far northern territory was secure to Russia as early as 1741; secure to her against the claims of all other nations; secure to her thirty-seven years before Captain Cook had sailed into the North Pacific; secure to her more than half a century before the United States had made good her title to Oregon. Russia was in point of time the first power in this region by right of discovery. Without immoderate presumption she might have challenged the rights of others to assumed territorial possessions; but no nation had shadow of cause or right to challenge her title to the vast region of land and water which, before Mr. Adams was Secretary of State, had become known as the "Russian Possessions."

Mr. Adams' meaning was not, therefore, and indeed could not be, what Lord Salisbury assumed. As against such interpretation I shall endeavor to call his lordship's attention to what this Government holds to be the indisputable meaning of Mr. Adams' entire paragraph. To that end a brief review of certain public transactions and a brief record of certain facts will be necessary.

At the close of the year 1799, the Emperor Paul, by a ukase, asserted the exclusive authority of Russia over the territory from the Behring Strait down to the fifty-fifth degree of north latitude on the American coast, following westward "by the Aleutian, Kurile, and other islands" practically inclosing the Behring Sea. To the Russian American Company, which was organized under this ukase, the Emperor gave the right "to make new discoveries" in that almost unknown region, and "to occupy the new land discovered" as "Russian possessions." The Emperor was assassinated before any new discoveries were announced, but his successor, the Emperor Alexander I, inherited the ambition and the purpose of his father, and, in a new ukase of September 4, 1821, asserted the exclusive authority of Russia from Behring Strait southward to the fifty-first degree of north latitude on the American coast, proclaiming his authority, at the same time, on the Asiatic coast as far south as the forty-fifth degree, and forbidding any vessel to approach within 100 miles of land on either continent. I quote the two sections of the ukase that contain the order and the punishment:

SECTION 1. The transaction of commerce, and the pursuit of whaling and fishing, or any other industry on the islands, in the harbors and inlets, and, in general, all along the northwestern coast of America from Behring Strait to the fifty-first parallel of northern latitude, and likewise on the Aleutian Islands and along the eastern coast of Siberia, and on the Kurile Islands; that is, from Behring Strait to the southern promontory of the island of Urup, viz, as far south as latitude forty-five degrees and fifty minutes north, are exclusively reserved to subjects of the Russian Empire.

SEC. 2. Accordingly, no foreign vessel shall be allowed either to put to shore at any of the coasts and islands under Russian dominion as specified in the preceding section, or even to approach the same to within a distance of less than 100 Italian miles. Any vessel contravening this provision shall be subject to confiscation with her whole cargo.

Against *this larger claim of authority* (viz, extending farther south on the American coast to the 51st degree of north latitude), Mr. Adams vigorously protested. In a dispatch of March 30, 1822, to Mr. Poletica, the Russian minister at Washington, Mr. Adams said:

This ukase now for the first time extends the claim of Russia on the northwest coast of America to the 51st degree of north latitude.

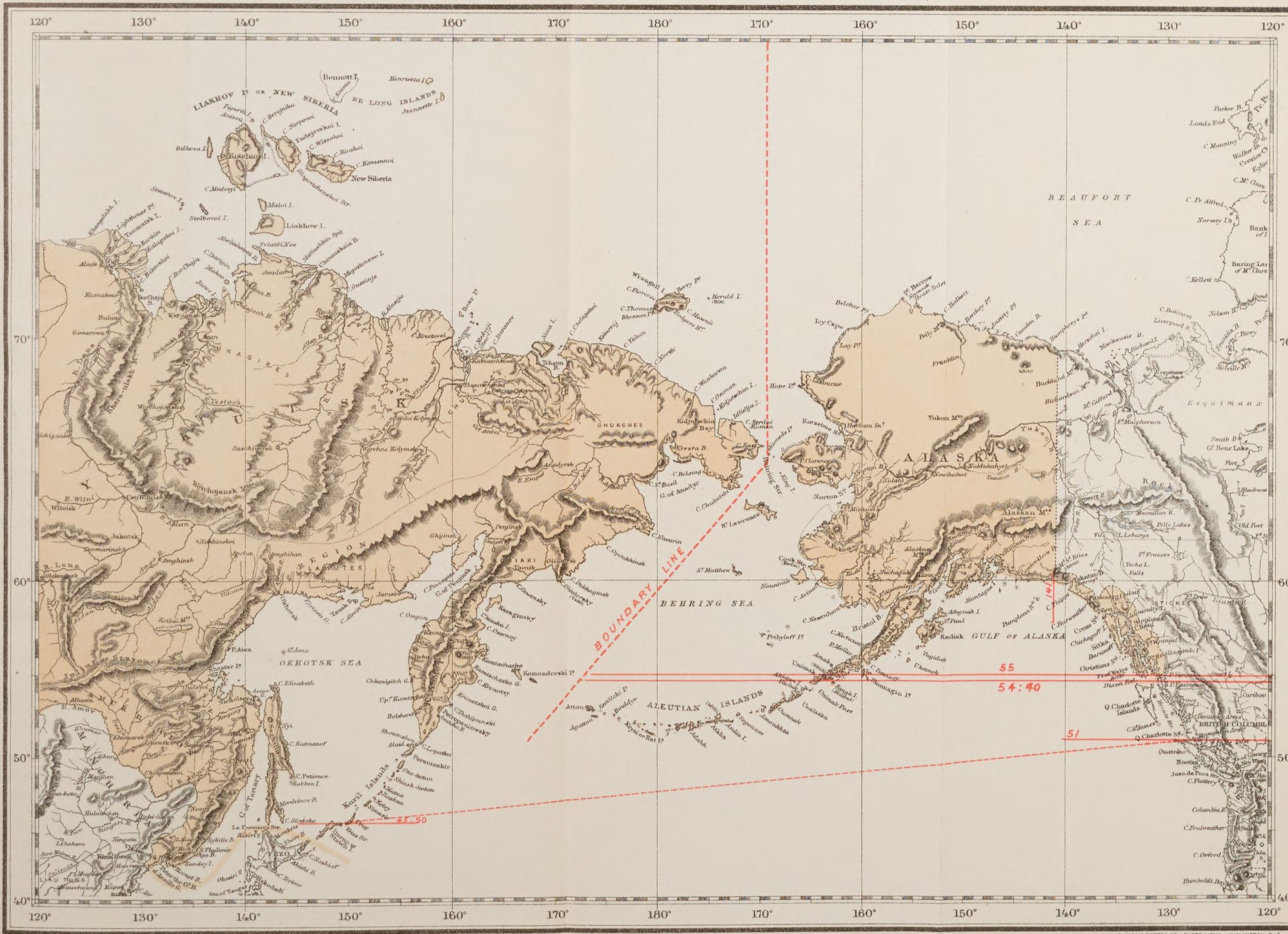
And he pointed out to the Russian minister that the only foundation for the new pretension of Russia was the existence of a small settlement, situated, not on the American continent, but on a small island in latitude 57—Novo Archangelsk, now known as Sitka.

Mr. Adams protested, not against the ukase of Paul, but against the ukase of Alexander; not wholly against the ukase of Alexander, but only against his extended claim of sovereignty southward on the continent to the 51st degree north latitude. In short, Mr. Adams protested, not against the old possessions, but against the new pretensions of Russia on the northwest coast of America—pretensions to territory claimed by the United States and frequented by her mariners since the peace of 1783—a specification of time which is dropped from Lord Salisbury's quotation of Mr. Adams, but which Mr. Adams pointedly used to fix the date when the power of the United States was visibly exercised on the coast of the Pacific Ocean.

The names and phrases at that time in use to describe the geography

MAP TO GO AS EXPLANATORY OF No. 27, OF JUNE 30th, 1890 (Mr. BLAINE to Sir JULIAN PAUNCEFOTE).

SECTION OF A TRACK CHART OF THE WORLD, COVERING THE BEHRING SEA.



THE NORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.

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included within the area of this dispute, are confusing and at certain points apparently contradictory and irreconcilable. Mr. Adams' denial to Russia of the ownership of territory on "the Continent of America" is a fair illustration of this singular contradiction of names and places. In the same way the phrase "Northwest coast" will be found, beyond all possible doubt, to have been used in two senses, one including the northwest coast of the Russian possessions, and one to describe the coast whose northern limit is the 60th parallel of north latitude.

It is very plain that Mr. Adams' phrase "the Continent of America,' in his reference to Russia's possessions, was used in a *territorial* sense, and not in a *geographical* sense. He was drawing the distinction between the territory of "America" and the territory of the "Russian possessions." Mr. Adams did not intend to assert that these territorial rights of Russia had no existence on the continent of North America. He meant that they did not exist as the ukase of the Emperor Alexander had attempted to establish them—southward of the Aleutian peninsula and on that distinctive part of the continent claimed as the territory of the United States. "America" and the "United States" were then, as they are now, commonly used as synonymous.

British statesmen at the time used the phrase precisely as Mr. Adams did. The possessions of the crown were generically termed British *America*. Great Britain and the United States harmonized at this point and on this territorial issue against Russia. Whatever disputes might be left by these negotiations for subsequent settlement between the two powers there can be no doubt that at that time they had a common and very strong interest against the territorial aggrandizement of Russia. The British use of the phrase is clearly seen in the treaty between Great Britain and Russia, negotiated in 1825, and referred to at length in a subsequent portion of this dispatch. A publicist as eminent as Stratford Canning opened the third article of that treaty in these descriptive words:

> The line of demarcation between the possessions of the high contracting parties, upon the coast of the continent, and the islands of America to the northwest. * * *

Mr. Canning evidently distinguished "the islands of America" from the "islands of the Russian possessions," which were far more numerous; and by the use of the phrase "*to the Northwest*" just as evidently limited the coast of *the Continent* as Mr. Adams limited it, in that direction, by the Alaskan peninsula. A concurrence of opinion between John Quincy Adams and Stratford Canning, touching any public question, left little room even for suggestion by a third person.

It will be observed as having weighty significance that the Russian ownership of the Aleutian and Kurile Islands (which border and close in the Behring Sea, and by the dip of the peninsula are several degrees south of latitude 55) was not disputed by Mr. Adams, and could not possibly have been referred to by him when he was limiting the island possessions of Russia. This is but another evidence that Mr. Adams was making no question as to Russia's ownership of all territory bordering on the Behring Sea. The contest pertained wholly to the territory on the northwest coast. The Emperor Paul's ukase, declaring his sovereignty over the Aleutian and Kurile Islands, was never questioned or denied by any power at any time.

Many of the acts of Mr. Adams' public life received interesting commentary and, where there was doubt, luminous interpretation in his personal diary, which was carefully kept from June 3, 1794, to January 1, 1848, inclusive. The present case affords a happy illustration of the

corroborative strength of the diary. During the progress of this correspondence Baron Tuyll, who had succeeded Mr. Poletica as Russian minister in Washington, called upon Mr. Adams at his office on July 17, 1823, six days before the date of the dispatch upon which I have been commenting, and upon which Lord Salisbury relies for sustaining his contention in regard to the Behring Sea. During an animated conversation of an hour or more between Mr. Adams and Baron Tuyll, the former said:

> I told Baron Tuyll specially that we should contest the right of Russia to *any* territorial establishment on this continent. * * *

It will be observed that Mr. Adams uses the same phrase in his conversation that has misled English statesmen as to the true scope and meaning of his dispatch of July 23, 1823. When he declared that we should "contest the right of Russia to any territorial establishment on this continent" (with the word "any" italicized), he no more meant that we should attempt to drive Russia from her ancient possessions than that we should attempt to drive England from the ownership of Canada or Nova Scotia. Such talk would have been absurd gasconade, and Mr. Adams was the last man to indulge in it. His true meaning, it will be seen, comes out in the next sentence when he declares:

> I told Baron Tuyll that we should assume distinctly the principle that the American continents are no longer subjects for any *new* European colonial establishments.

In the message of President Monroe to the next Congress (the 18th) at its first session, December 2, 1823, he announced that at the proposal of the Russian Government the United States had agreed to "arrange by amicable negotiations the respective rights and interests of the two nations on the northwest coast of this continent." A similar proposal had been made by Russia to Great Britain and had been likewise agreed to. The negotiations in both cases were to be at St. Petersburg.

It was in connection with this subject, and in the same paragraph, that President Monroe spoke thus:

> In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that *the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European power.*

This very brief declaration (in fact merely the three lines italicized), constitutes the famous "Monroe doctrine." Mr. Adams' words of the July preceding clearly foreshadowed this position as the permanent policy of the United States. The declaration removes the last doubt, if room for doubt had been left, that the reference made by Mr. Adams was to the future, and had no possible connection with the Russian rights existing for three-quarters of a century before the dispatch of 1823 was written.

It was evident from the first that the determined attitude of the United States, subsequently supported by Great Britain, would prevent the extension of Russian territory southward to the 51st parallel. The treaties which were the result of the meeting at St. Petersburg, already noted, marked the surrender on the part of Russia of this pretension and the conclusion was a joint agreement that 54 degrees and 40 minutes should be taken as the extreme southern boundary of Russia on the northwest coast, instead of the 55th degree, which was proclaimed by the Emperor Paul in the ukase of 1799.

The treaty between Russia and the United States was concluded on the 17th of April, 1824, and that between Russia and Great Britain, ten

months later, on the 16th of February, 1825. In both treaties Russia acknowledges 54.40 as the dividing line. It was not determined which of the two nations owned the territory from 54.40 down to the 49th parallel, and it remained in dispute between Great Britain and the United States until its final adjustment by the "Oregon treaty," negotiated by Mr. Buchanan and Mr. Pakenham under the administration of Mr. Polk in 1846.

The Government of the United States has steadily maintained that in neither of these treaties with Russia was there any attempt at regulating or controlling, or even asserting an interest in, the Russian Possessions and the Behring Sea, which lie far to the north and west of the territory which formed the basis of the contention. This conclusion is indisputably proved by the protocols which were signed during the progress of the negotiation. At the fourth conference of the plenipotentiaries, on the 8th day of March (1824), the American minister, Mr. Henry Middleton, submitted to the Russian representative, Count Nesselrode, the following:

> The dominion can not be acquired but by a real occupation and possession, and an intention (animus) to establish it is by no means sufficient.
>
> Now, it is clear, according to the facts established, that neither Russia nor any other European power has the right of dominion upon the continent of America between the fiftieth and sixtieth degrees of north latitude.
>
> Still less has she the dominion of the adjacent maritime territory, or of the sea which washes these coasts, a dominion which is only accessory to the territorial dominion.
>
> Therefore she has not the right of exclusion or of admission on these coasts, nor in these seas which are free seas.
>
> The right of navigating all the free seas belongs, by natural law, to every independent nation, and even constitutes an essential part of this independence.
>
> The United States have exercised navigation in the seas, and commerce upon the coasts above mentioned, from the time of their independence; and they have a perfect right to this navigation and to this commerce, and they can only be deprived of it by their own act or by a convention.

'This is a clear proof of what is demonstrated in other ways, that the whole dispute between the United States and Russia and between Great Britain and Russia related to the Northwest coast, as Mr. Middleton expresses it, between the "50th and the 60th degrees of north latitude." This statement is in perfect harmony with Mr. Adams' paragraph when given in full. "The United States," Mr. Middleton insists, "have exercised navigation in the seas and commerce upon the coasts above mentioned, from the time of their independence;" but he does not say one word in regard to our possessing any rights of navigation or commerce in the Behring Sea. He declares that "Russia has not the right of exclusion or admission on these coasts [between the 50th and 60th degrees north latitude] nor in these seas which are *free* seas," evidently emphasizing "free" to distinguish those seas from the Behring Sea, which was recognized as being under Russian restrictions.

Mr. Middleton wisely and conclusively maintained that if Russia had no claim to the continent between the 50th and the 60th degrees north latitude; "still less could she have the dominion of the adjacent maritime territory," or, to make it more specific, "of the sea which washes these coasts." That sea was the Great Ocean, or the Pacific Ocean, or the South Sea, the three names being equally used for the same thing.

The language of Mr. Middleton plainly shows that the lines of latitude were used simply to indicate the "dominion" on the coast between the 50th and 60th parallels of north latitude.

The important declarations of Mr. Middleton, which interpret and enforce the contention of the United States, should be regarded as in-

disputable authority, from the fact that they are but a paraphrase of the instructions which Mr. Adams delivered to him for his guidance in negotiating the treaty with Count Nesselrode. Beyond all doubt they prove that Mr. Adams' meaning was the reverse of what Lord Salisbury infers it to be in the paragraph of which he quoted only a part.

The four principal articles of the treaty negotiated by Mr. Middleton are as follows:

ART. I. It is agreed that, in any part of the Great Ocean, commonly called the Pacific Ocean or South Sea, the respective citizens or subjects of the high contracting powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the coasts, upon points which may not already have been occupied, for the purpose of trading with the natives, saving always the restrictions and conditions determined by the following articles:

ART. II. With a view of preventing the rights of navigation and of fishing exercised upon the Great Ocean by the citizens and subjects of the high contracting powers from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment, without the permission of the governor or commander; and that, reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the Northwest coast.

ART. III. It is moreover agreed that, hereafter, there shall not be formed by the citizens of the United States, or under the authority of the said States, any establishment upon the Northwest coast of America, nor in any of the islands adjacent, to the north of fifty-four degrees and forty minutes of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel.

ART. IV. It is, nevertheless, understood that during a term of ten years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects, respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks, upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country.

The first article, by carefully mentioning the *Great Ocean* and describing it as the ocean "commonly called the Pacific Ocean or South Sea," evidently meant to distinguish it from some other body of water with which the negotiators did not wish to confuse it. Mr. Adams used the term "South Sea" in the dispatch quoted by Lord Salisbury, and used it with the same discriminating knowledge that pervades his whole argument on this question. If no other body of water existed within the possible scope of the treaty, such particularity of description would have had no logical meaning. But there was another body of water already known as the Behring Sea. That name was first given to it in 1817—according to English authority—seven years before the American treaty, and eight years before the British treaty, with Russia; but it had been known as a *sea*, separate from the ocean, under the names of the Sea of Kamchatka, the Sea of Otters, or the Aleutian Sea, at different periods before the Emperor Paul issued his ukase of 1799.

The second article plainly shows that the treaty is limited to the Great Ocean, as separate from the Behring Sea, because the limitation of the "Northwest coast" between the 50th and 60th degrees could apply to no other. That coast, as defined both by American and British negotiators at that time, did not border on the Behring Sea.

The third article shows the compromise as to territorial sovereignty on the Northwest coast. The United States and Great Britain had both claimed that Russia's just boundary on the coast terminated at the 60th degree north latitude, the southern border of the Aleutian peninsula. Russia claimed to the 51st parallel. They made a compromise by a nearly equal division. An exactly equal division would have given Russia 54.30; but 10 miles farther north Prince of Wales' Island presented a better geographical point for division, and Russia accepted

a little less than half the coast of which she had claimed all and 54.40 was thus established as the dividing point.

The fourth article of the treaty necessarily grew out of the claims of Russia to a share of the Northwest coast in dispute between the United States and Great Britain. Mr. Adams, in the instruction to Mr. Middleton so often referred to, says:

> By the third article of the convention between the United States and Great Britain, of the 20th of October, 1818, it was agreed that any country that might be claimed by either party on the Northwest coast of America, westward of the Stony Mountains, should, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from that date, to the vessels, citizens, and subjects of the two powers, without prejudice to the claims of either party or of any other state.
>
> You are authorized to propose an article of the same import for a term of ten years from the signature of a joint convention between the United States, Great Britain, and Russia.

It will be observed that the fourth article relates solely to the "Northwest coast of America" so well understood as the coast of the Pacific Ocean, between the 50th and the 60th degrees north latitude, and therefore does not in the remotest degree touch the Behring Sea or the land bordering upon it.

The several articles in the treaty between Great Britain and Russia, February 16, 1825, that could have any bearing on the pending contention are as follows:

Articles I and II (substantially the same as in the treaty between Russia and the United States).

ARTICLE III. The line of demarcation between the possessions of the high contracting parties, upon the coast of the continent, and the islands of America to the Northwest shall be drawn in the manner following:

Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the one hundred and thirty-first and the one hundred and thirty-third degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called *Portland Channel*, as far as the point of the continent where its strikes the fifty-sixth degree of north latitude; from this last mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the one hundred and forty-first degree of west longitude (of the same meridian); and, finally, from the said point of intersection the said meridian line of the one hundred and forty-first degree in its prolongation as far as the frozen ocean shall form the limit between the Russian and British possessions on the continent of America to the northwest.

Article V. (Substantially the same as Article III of the treaty between Russia and the United States.)

ARTICLE VI. It is understood that the subjects of His Britannic Majesty, from whatever quarter they may arrive, whether from the ocean or from the interior of the continent, shall forever enjoy the right of navigating freely and without any hindrance whatever all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article III of the present convention.

ARTICLE VII. It is also understood that, for the space of ten years from the signature of the present convention, the vessels of the two powers, or those belonging to their respective subjects, shall mutually be at liberty to frequent without any hindrance whatever all the inland seas, the gulfs, havens, and creeks on the coast mentioned in Article III, for the purposes of fishing and of trading with the natives.

After the analysis of the articles in the American treaty there is little in the English treaty that requires explanation. The two treaties were draughted under circumstances and fitted to conditions quite similar. There were some differences because of Great Britain's ownership of British America. But these very differences corroborate the position of the United States. This is most plainly seen in Article VI. By that

article the subjects of Her Britannic Majesty were guarantied the right of navigating freely the rivers emptying into the Pacific Ocean and crossing the *line of demarcation upon the line of coast described in Article III.* The line of demarcation is described in Article III as following "the summit of the mountains situated parallel to the coast *as far as the point of intersection of the one hundred and forty-first degree of west longitude.*" Article IV, qualifying Article III, specifies that "wherever the summit of the mountains which extend in a direction parallel to the coast, from the fifty-sixth degree of north latitude to the point of intersection of the one hundred and forty-first degree of west longitude, shall prove to be at a distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and shall never exceed the distance of ten marine leagues therefrom."

By both these articles the line of demarcation ceases to have any parallel relation to the coast when it reaches the point of intersection of the one hundred and forty-first degree of west longitude.

From that point the one hundred and forty-first degree of west longitude, as far as it extends continuously on land northward, is taken as the boundary between the territories of the two powers. It is thus evident that British subjects were guarantied the right of navigating only such rivers as crossed the line of demarcation *while it followed the line of coast.* They were limited, therefore, to the rivers that emptied into the Pacific Ocean between 54:40 and 60 degrees north latitude, the latter being the point on the coast opposite the point where the line of demarcation diverges—Mount St. Elias.

By this agreement Great Britain was excluded from all rivers emptying into the Behring Sea, including the great Yukon and its affluent, the Porcupine, which rise and for a long distance flow in British America. So complete was the exclusion from Behring Sea that Great Britain surrendered in this case a doctrine which she had aided in impressing upon the Congress of Vienna for European rivers. She did not demand access to the sea from a river whose source was in her territory. She consented, by signing the treaty of 1825, to such total exclusion from the Behring Sea as to forego following her own river to its mouth in that sea.

It shows a curious association of political events that in the Washington treaty of 1871 the United States conceded to Great Britain the privilege of navigating the Yukon and its branch, the Porcupine, to the Behring Sea in exchange for certain privileges conceded to the United States on the St. Lawrence. The request of Great Britain for the privilege of navigating the Yukon and Porcupine is a suggestive confession that it was withheld from her by Russia in the treaty of 1825; —withheld because the rivers flowed to the Behring Sea.

The seventh article is practically a repetition of the fourth article in the treaty between Russia and the United States, and the privilege of fishing and trading with the natives is limited to the coast, mentioned in Article III, identically the same line of coast which they were at liberty to pass through to reach British America or to reach the coast from British America. They are excluded from going north of the prescribed point on the coast near Mount St. Elias, and are therefore kept out of Behring Sea.

It is to be noted that the negotiators of this treaty, in defining the boundary between the Russian and British possessions, cease to observe particularity exactly at the point on the coast where it is intersected by

the sixtieth parallel. From that point the boundary is designated by the almost indefinite prolongation northward of the one hundred and forty-first degree of longitude west. It is plain, therefore, that this treaty, like the Russo-American treaty, limited the "northwest coast" to that part of the coast between the fiftieth and sixtieth parallels of north latitude,—as fully set forth by Mr. Middleton in the protocols preceding the treaty between the United States and Russia. The negotiators never touched one foot of the boundary of the Behring Sea, whether on continent or island, and never even made a reference to it. Its nearest point, in Bristol Bay, was a thousand miles distant from the field of negotiation between the powers.

It must not be forgotten that this entire negotiation of the three powers proceeded with full knowledge and recognition of the ukase of 1821. While all questions touching the respective rights of the powers on the northwest coast between the fiftieth and sixtieth parallels were discussed and pressed by one side or the other, and finally agreed upon, the terms of the ukase of 1821, in which the Emperor set forth so clearly the rights claimed and exercised by Russia in the Behring Sea, were untouched and unquestioned. These rights were therefore admitted by all the powers negotiating as within the exercise of Russia's lawful authority then, and they were left inviolate by England during all the subsequent continuance of Russia's dominion over Alaska.

These treaties were therefore a practical renunciation, both on the part of England and the United States, of any rights in the waters of Behring Sea during the period of Russia's sovereignty. They left the Behring Sea and all its coasts and islands precisely as the ukase of Alexander in 1821 left them,—that is with a prohibition against any vessel approaching nearer to the coast than 100 Italian miles, under danger of confiscation. The original ukase of Alexander (1821) claimed as far south as the fifty-first degree of north latitude, with the inhibition of 100 miles from the coast applying to the whole.

The result of the protest of Mr. Adams, followed by the co-operation of Great Britain, was to force Russia back to 54.40 as her southern boundary. But there was no renunciation whatever on the part of Russia as to the Behring Sea, to which the ukase especially and primarily applied. As a piece of legislation this ukase was as authoritative in the dominions of Russia as an act of Parliament is in the dominions of Great Britain or an act of Congress in the territory of the United States. Except as voluntarily modified by Russia in the treaty with the United States, April 17, 1824, and in the treaty with Great Britain, February 16, 1825, the ukase of 1821 stood as the law controlling the Russian possessions in America until the close of Russia's ownership by transfer to this Government. Both the United States and Great Britain recognized it, respected it, obeyed it. It did not, as so many suppose, declare the Behring Sea to be *mare clausum*. It did declare that the waters, to the extent of 100 miles from the shores, were reserved for the subjects of the Russian Empire. Of course many hundred miles east and west and north and south, were thus intentionally left by Russia for the whale fishery and for fishing open and free to the world, of which other nations took large advantage. Perhaps in pursuing this advantage foreigners did not always keep 100 miles from the shore, but the theory of right on which they conducted their business unmolested was that they observed the conditions of the ukase.

But the 100-mile restriction performed the function for which it was specially designed in preventing foreign nations from molesting, disturbing, or by any possibility sharing in the fur trade. The fur trade formed

the principal, almost the sole employment of the Russian American Company. It formed its employment, indeed, to such a degree that it soon became known only as the Russian American *Fur* Company, and quite suggestively that name is given to the company by Lord Salisbury in the dispatch to which I am replying. While, therefore, there may have been a large amount of lawful whaling and fishing in the Behring Sea, the taking of furs by foreigners was always and under all circumstances illicit.

Eighteen years after the treaty of 1825 (in 1843) Great Britain made a commercial treaty with Russia, based on the principle of reciprocity of advantages, but the rights of the Russian American Company, which under both ukases included the sovereigntry over the sea to the extent of 100 miles from the shores, were reserved by special clause, in a separate and special article, signed after the principal articles of the treaty had been concluded and signed. Although British rights were enlarged with nearly all other parts of the Russian Empire, her relations with the Russian possessions and with the Behring Sea remained at precisely the same point where the treaty of 1825 had placed them.

Again in 1859 Great Britain still further enlarged her commercial relations with the Empire of Russia, and again the "possessions" and the Behring Sea were held firmly in their relations to the Russian American Company as they had been held in the treaty of 1843.

It is especially notable that both in the treaty of 1843 and the treaty of 1859 it is declared that "in regard to commerce and navigation in the Russian possessions on the northwest coast of America the convention concluded at St. Petersburg, February 16, 1825, shall continue in force." The same distinction and the same restrictions which Mr. Adams made in regard to the northwest coast of America were still observed, and Great Britain's access from or to the interior of the continent was still limited to that part of the coast between 54.40 and a point near Mount Saint Elias. The language of the three Russo-British treaties of 1825, 1843, and 1859 corresponds with that employed in Mr. Adams' dispatch to Mr. Middleton, to which reference has so frequently been made. This shows that the true meaning of Mr. Adams' paragraph is the key, and indeed the only key by which the treaties can be correctly interpreted and by which expressions apparently contradictory or unintelligible can be readily harmonized.

Immediately following the partial quotation of Mr. Adams's dispatch, Lord Salisbury quotes the case of the United States brig *Loriot* as having some bearing on the question relating to the Behring Sea. The case happened on the 15th of September, 1836, and Mr. Forsyth, Secretary of State, in a dispatch to the United States minister at St. Petersburg, declared the course of the Russians in arresting the vessel to be a violation of the rights of the citizens of the United States. He claimed that the citizens of the United States had the right immemorially as well as by the stipulations of the treaty of 1824 to fish in those waters.

Lord Salisbury's understanding of the case differs entirely from that held by the Government of the United States. The *Loriot* was not arrested in Behring Sea at all, nor was she engaged in taking furs. She was arrested, as Mr. Forsyth in his dispatch says, in latitude 54:55, more than sixty miles south of Sitka, on the "northwest coast," to which, and to which only, the treaty of 1824 referred. Russia upheld its action on the ground that the ten-year term provided in the fourth article of the treaty had closed two years before. The case was made the basis of an application on the part of the United States Government

for a renewal of that article. This application was pressed for several years, but finally and absolutely refused by the Russian Government. Under the claim of Russia that the term of ten years had expired, the United States failed to secure any redress in the *Loriot* case. With all due respect to Lord Salisbury's judgment, the case of the *Loriot* sustains the entire correctness of the position of the United States in this contention.

It only remains to say that whatever duty Great Britain owed to Alaska as a Russian province, whatever she agreed to do or to refrain from doing, touching Alaska and the Behring Sea, was not changed by the mere fact of the transfer of sovereignty to the United States. It was explicitly declared, in the sixth article of the treaty by which the territory was ceded by Russia, that "the cession hereby made conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominions and appurtenances thereto." Neither by the treaty with Russia of 1825, nor by its renewal in 1843, nor by its second renewal in 1859, did Great Britain gain any right to take seals in Behring Sea. In fact, those treaties were a prohibition upon her which she steadily respected so long as Alaska was a Russian province. It is for Great Britain now to show by what law she gained rights in that sea after the transfer of its sovereignty to the United States.

During all the time elapsing between the treaty of 1825 and the cession of Alaska to the United States in 1867, Great Britain never affirmed the right of her subjects to capture fur-seal in the Behring Sea; and, as a matter of fact, her subjects did not, during that long period, attempt to catch seals in the Behring Sea. Lord Salisbury, in replying to my assertion that these lawless intrusions upon the fur-seal fisheries began in 1886, declares that they had occurred before. He points out one attempt in 1870, in which forty-seven skins were found on board an intruding vessel; in 1872 there was a rumor that expeditions were about to fit out in Australia and Victoria for the purpose of taking seals in the Behring Sea; in 1874 some reports were heard that vessels had entered the sea for that purpose; one case was reported in 1875; two cases in 1884; two also in 1885.

These cases, I may say without intending disrespect to his lordship, prove the truth of the statement which he endeavors to controvert, because they form just a sufficient number of exceptions to establish the fact that the destructive intrusion began in 1886. But I refer to them now for the purpose of showing that his lordship does not attempt to cite the intrusion of a single British sealer into the Behring Sea until after Alaska had been transferred to the United States. I am justified, therefore, in repeating the questions which I addressed to Her Majesty's Government on the 22d of last January, and which still remain unanswered, viz:

Whence did the ships of Canada derive the right to do, in 1886, that which they had refrained from doing for nearly ninety years?

Upon what grounds did Her Majesty's Government defend, in the year 1886, a course of conduct in the Behring Sea which had been carefully avoided ever since the discovery of that sea?

By what reasoning did Her Majesty's Government conclude that an act may be committed with impunity against the rights of the United States which had never been attempted against the same rights when held by the Russian Empire?

I have, etc.,

JAMES G. BLAINE.

No. 28.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 30, 1890.

SIR: In your note of the 29th of May last, which I duly transmitted to the Marquis of Salisbury, there are several references to communciations which passed between the two Governments in the time of your predecessor.

I have now received a dispatch from Lord Salisbury, copy of which I have the honor to inclose, pointing out that there is some error in the impressions which you have gathered from the records in the State Department with respect to those communications.

I have, etc.,

JULIAN PAUNCEFOTE.

[Inclosure.]

The Marquis of Salisbury to Sir Julian Pauncefote.

No. 126.] FOREIGN OFFICE, *June* 20, 1890.

SIR: I have to acknowledge your dispatch No. 83 of the 30th ultimo, inclosing copy of a note from Mr. Blaine dated the 29th ultimo.

It contains several references to communications which passed between the two Governments in the time of Mr. Blaine's predecessor, especially in the spring of 1888. Without referring at present to other portions of Mr. Blaine's note I wish only now to point out some error in the impressions which he has gathered from the records in his office with respect to those communications. He states that on the 23d April of that year I informed the American chargé d'affaires, Mr. White, that it was proposed to give effect to a seal convention by order in council, not by act of Parliament. This was a mistake. It was very natural that Mr. White should not have apprehended me correctly when I was describing the somewhat complicated arrangements by which agreements of this kind are brought into force in England. But two or three days after the 23d April he called to make inquiry on the subject, and in reply to his question the following letter was addressed to him by my instructions:

FOREIGN OFFICE, *April* 27, 1888.

MY DEAR WHITE: Lord Salisbury desires me to express his regret that he is not yet in a position to make any further communication to you on the subject of the seal fisheries in Behring Sea. After his interview with you and M. de Staal he had to refer to the Canadian Government, the Board of Trade, and the Admiralty, but has as yet only obtained the opinion of the Admiralty. The next step is to bring a bill into Parliament.

Yours, etc.,

ERIC BARRINGTON.

On the 28th, Mr. White replied:

LEGATION OF THE UNITED STATES, *London, April* 28, 1888.

MY DEAR BARRINGTON: Thanks for your note, respecting the final sentence of which, "The next step is to bring a bill into Parliament," I must trouble you with a line.

I understood Lord Salisbury to say when I saw him with M. de Staal, and again last week alone, that it is now proposed to give effect to the conventional arrangement for the protection of seals by an order in council, not by act of Parliament.

When Mr. Phelps left the latter was thought necessary, and last week I received a telegram from the Secretary of State, asking me to obtain confidentially a copy of the proposed act of Parliament, with a view to assimilating our contemplated act of

Congress thereto. I replied, after seeing Lord Salisbury last Saturday, that there would be no bill introduced in Parliament, but an order in council.

May I ask if this be now incorrect, as, in that event, I should particularly like to correct my former statement by this day's mail.

To this the following reply was on the same date addressed to Mr. White:

FOREIGN OFFICE, *April* 28, 1888.

MY DEAR WHITE: Lord Salisbury is afraid that he did not make himself understood when last he spoke to you about the Seal Fisheries Convention.

An act of Parliament is necessary to give power to our authorities to act on the provisions of the convention when it is signed. The order in council will be merely the machinery which the act will provide for the purpose of bringing its provisions into force. The object of this machinery is to enable the Government to wait till the other two powers are ready. But neither convention nor bill is drafted yet, because we have not got the opinions from Canada which are necessary to enable us to proceed.

Yours, etc.,

ERIC BARRINGTON.

It is evident from this correspondence that if the United States Government was misled upon the 23d April into the belief that Her Majesty's Government could proceed in the matter without an act of parliament, or could proceed without previous reference to Canada, it was a mistake which must have been entirely dissipated by the correspondence which followed in the ensuing week.

Mr. Blaine is also under a misconception in imagining that I ever gave any verbal assurance, or any promise of any kind, with respect to the terms of the projected convention. Her Majesty's Government always have been, and are still, anxious for the arrangement of a convention which shall provide whatever close time in whatever localities is necessary for the preservation of the fur-seal species. But I have represented that the details must be the subject of discussion, a discussion to which those who are locally interested must of necessity contribute. I find the record of the following conversation about the date to which Mr. Blaine refers:

The Marquis of Salisbury to Sir L. West.

FOREIGN OFFICE, *March* 17, 1888.

SIR: Since forwarding to you my dispatch No. 23 of the 22d ultimo, I have been in communication with the Russian ambassador at this court, and have invited his excellency to ascertain whether his Government would authorize him to discuss with Mr. Phelps and myself the suggestion made by Mr. Bayard in his dispatch of the 7th February, that concerted action should be taken by the United States, Great Britain, and other interested powers, in order to preserve from extermination the fur seals which at certain seasons are found in Behring Sea.

Copies of the correspondence on this question which has passed between M. de Staal and myself is inclosed herewith.

I request that you will inform Mr. Bayard of the steps which have been taken, with a view to the initiation of negotiations for an agreement between the three powers principally concerned in the maintenance of the seal fisheries. But in so doing you should state that this action on the part of Her Majesty's Government must not be taken as an admission of the rights of jurisdiction in Behring Sea exercised there by the United States authorities during the fishing seasons of 1886–'87 and 1887–'88, nor as affecting the claims which Her Majesty's Government will have to present on account of wrongful seizures which have taken place of British vessels engaged in the seal-fishing industry.

I am, etc.,

SALISBURY.

In pursuance of this dispatch, the suggestion made by Mr. Bayard, to which I referred, was discussed, and negotiations were initiated for an agreement between the three powers. The following dispatch con-

tains the record of what I believe was the first meeting between the three powers upon the subject:

The Marquis of Salisbury to Sir L. West.

FOREIGN OFFICE, *April* 16, 1888.

SIR: The Russian Ambassador and the United States chargé d'affaires called upon me this afternoon to discuss the question of the seal fisheries in Behring Sea, which had been brought into prominence by the recent action of the United States.

The United States Government had expressed a desire that some agreement should be arrived at between the three Governments for the purpose of prohibiting the slaughter of the seals during the time of breeding; and, at my request, M. de Staal had obtained instructions from his Government on that question.

At this preliminary discussion it was decided *provisionally, in order to furnish a basis for negotiation, and without definitively pledging our Governments*, that the space to be covered by the proposed convention should be the sea between America and Russia north of the 47th degree of latitude; that the close time should extend from the 15th April to the 1st November; that during that time the slaughter of all seals should be forbidden, and vessels engaged in it should be liable to seizure by the cruisers of any of the three powers, and should be taken to the port of their own nationality for condemnation; that the traffic in arms, alcohol, and powder should be prohibited in all the islands of those seas; and that, as soon as the three powers had concluded a convention, they should join in submitting it for the assent of the other maritime powers of the northern seas.

The United States chargé d'affaires was exceedingly earnest in pressing on us the importance of dispatch, on account of the inconceivable slaughter that had been and was still going on in these seas. He stated that in addition to the vast quantity brought to market, it was a common practice for those engaged in the trade to shoot all seals they might meet in the open sea, and that of these a great number sank, so that their skins could not be recovered.

I am, etc.,

SALISBURY.

It was impossible to state more distinctly that any proposal made was provisional, and was merely made for the purpose of enabling the requisite negotiations to proceed. The subsequent discussion of these proposals was undoubtedly delayed in consequence of the length of time occupied by the Canadian Government in collecting from considerable distances the information which they required before their opinion on the subject could be thoroughly formed, and after that it was delayed, I believe, chiefly in consequence of the political events in the United States unconnected with this question. I think it desirable to correct the misconceptions which have arisen with respect to these transactions, though I do not think that, even if the view of them which is taken by Mr. Blaine is accurate, they would bear out the argument which he founds upon them.

I shall be glad if you will take the opportunity of informing Mr. Blaine of these corrections.

I am, etc.,

SALISBURY.

No. 29.

Sir Julian Pauncefote to Mr. Blaine.

WASHINGTON, *June* 30, 1890.

SIR: I have received a dispatch from the Marquis of Salisbury with reference to the passage in your note to me of the 4th instant, in which you remark that in 1888 his lordship abruptly closed the negotiations because "the Canadian government objected," and that he "assigned no other reason whatever."

In view of the observations contained in Lord Salisbury's dispatch

of the 20th of June, of which a copy is inclosed in my last preceding note of this date, his lordship deems it unnecessary to discuss at any greater length the circumstances which led to an interruption of the negotiations of 1888.

With regard, however, to the passage in your note of the 4th instant above referred to, his lordship wishes me to call your attention to the following statement made to him by Mr. Phelps, the United States minister in London, on the 3d of April, 1888, and which was recorded in a dispatch of the same date to Her Majesty's minister at Washington.

"Under the peculiar political circumstances of America at this moment," said Mr. Phelps, "with a general election impending, it would be of little use, and indeed hardly practicable, to conduct any negotiation to its issue before the election had taken place."

I have, etc.,

JULIAN PAUNCEFOTE.

No. 30.

Mr. Blaine to Sir Julian Pauncefote.

DEPARTMENT OF STATE,
Washington, July 2, 1890.

SIR: Your note of the 27th ultimo, covering Lord Salisbury's reply to the friendly suggestion of the President, was duly received. It was the design of the President, if Lord Salisbury had been favorably inclined to his proposition, to submit a form of settlement for the consideration of Her Majesty's Government which the President believed would end all dispute touching privileges in Behring Sea. But Lord Salisbury refused to accept the proposal unless the President should "*forthwith*" accept a formal arbitration, which His Lordship prescribes.

The President's request was made in the hope that it might lead to a friendly basis of agreement, and he can not think that Lord Salisbury's proposition is responsive to his suggestion. Besides, the answer comes so late that it would be impossible now to proceed this season with the negotiation the President had desired.

An agreement to arbitrate requires careful consideration. The United States is perhaps more fully committed to that form of international adjustment than any other power, but it can not consent that the form in which arbitration shall be undertaken shall be decided without full consultation and conference between the two Governments.

I beg further to say that you must have misapprehended what I said touching British claims for injuries and losses alleged to have been inflicted upon British vessels in Behring Sea by agents of the United States. My declaration was that arbitration would logically and necessarily include that point. It is not to be conceded, but decided with other issues of far greater weight.

I have the honor to be, sir, etc.,

JAMES G. BLAINE.

No. 31.

Mr. Blaine to Sir Julian Pauncefote.

BAR HARBOR, MAINE, *July* 19, 1890.

SIR: I regret that circumstances beyond my control have postponed my reply to your two notes of June 30th, which were received on the 1st instant, on the eve of my leaving Washington for this place. The note which came to hand on the forenoon of that day inclosed a dispatch from Lord Salisbury, in which his lordship, referring to my note of May 29th, expresses "a wish to point out some errors" which he thinks I "had gathered from the records in my office."

The purpose of Lord Salisbury is to show that I misapprehended the facts of the case when I represented him, in my note of May 29, as having given such "verbal assurances" to Mr. Phelps as warranted the latter in expecting a convention to be concluded between the two Governments for the protection of the seal fisheries in Behring Sea.

Speaking directly to this point his lordship says:

> Mr. Blaine is under a misconception in imagining that I ever gave any verbal assurance or any promise of any kind with respect to the terms of the proposed convention.

In answer to this statement I beg you will say to Lord Salisbury that I simply quoted, in my note of May 29, the facts communicated by our minister, Mr. Phelps, and our chargé d'affaires, Mr. White, who are responsible for the official statements made to this Government at different stages of the seal fisheries negotiation.

On the 25th day of February, 1888, as already stated in my note of May 29th, Mr. Phelps sent the following intelligence to Secretary Bayard, viz:

> Lord Salisbury assents to your proposition to establish by mutual arrangement between the Governments interested a close time for fur-seals between April 15th, and November 1st in each year, and between 160 degrees of longitude west, and 170 degrees of longitude east in the Behring Sea. And he will cause an act to be introduced in Parliament to give effect to this arrangement, so soon as it can be prepared. In his opinion there is no doubt that the act will be passed. He will also join the United States Government in any preventive measures it may be thought best to adopt by orders issued to the naval vessels of the respective Governments in that region.

Mr. Phelps has long been known in this country as an able lawyer, accurate in the use of words and discriminating in the statement of facts. The Government of the United States necessarily reposes implicit confidence in the literal correctness of the dispatch above quoted.

Sometime after the foregoing conference between Lord Salisbury and Mr. Phelps had taken place, his lordship invited the Russian ambassador, M. de Staal, and the American chargé, Mr. White (Mr. Phelps being absent from London), to a conference held at the foreign office on the 16th of April, touching the Behring Sea controversy. This conference was really called at the request of the Russian ambassador, who desired that Russian rights in the Behring Sea should be as fully recognized by England as American rights had been recognized in the verbal agreement of February 25 between Lord Salisbury and Mr. Phelps. The Russian ambassador received from Lord Salisbury the assurance (valuable also to the United States), that the protected area for seal life should be extended southward to the 47th degree of north latitude, and also the promise that he would have "a draught

convention prepared for submission to the Russian ambassador and the American chargé."

Lord Salisbury now contends that all the proceedings at the conference of April 16 are to be regarded as only "*provisional, in order to furnish a basis for negotiation, and without definitely pledging our Government.*" While the understanding of this Government differs from that maintained by Lord Salisbury, I am instructed by the President to say that the United States is willing to consider all the proceedings of April 16, 1888, as canceled, so far as American rights may be concerned. This Government will ask Great Britain to adhere only to the agreement made between Lord Salisbury and Mr. Phelps on the 25th of February, 1888. That was an agreement made directly between the two Governments and did not include the rights of Russia. Asking Lord Salisbury to adhere to the agreement of February 25, we leave the agreement of April 16 to be maintained, if maintained at all, by Russia, for whose cause and for whose advantage it was particularly designed.

While Lord Salisbury makes a general denial of having given "verbal assurances," he has not made a special denial touching the agreement between himself and Mr. Phelps, which Mr. Phelps has reported in special detail, and the correctness of which he has since specially affirmed on more than one occasion.

In your second note of June 30, received in the afternoon of July 1, you called my attention (at Lord Salisbury's request) to a statement which I made in my note of June 4 to this effect:

> It is evident, therefore, that in 1888 Lord Salisbury abruptly closed the negotiation because, in his own phrase, "the Canadian Government objected."

To show that there were other causes for closing the negotiation Lord Salisbury desires that attention be called to a remark made to him by Mr. Phelps on the 3d day of April, 1888, as follows: "Under the peculiar circumstances of America at this moment, with a general election impending, it would be of little use and indeed hardly practicable to conduct any negotiation to its issue before the general election has taken place."

I am quite ready to admit that such a statement made by Mr. Phelps might now be adduced as one of the reasons for breaking off the negotiation, if in fact the negotiation had been then broken off, but Lord Salisbury immediately proceeded with the negotiation. The remark ascribed to Mr. Phelps was made, as Lord Salisbury states, on the 3d of April, 1888. On the 5th of April Mr. Phelps left London on a visit to the United States. On the 6th of April Lord Salisbury addressed a private note to Mr. White to meet the Russian ambassador at the foreign office, as he had appointed a meeting for April 16 to discuss the questions at issue concerning the seal fisheries in Behring Sea.

On the 23d of April there was some correspondence in regard to an order in council and an act of Parliament. On the 27th of April Under Secretary Barrington, of the foreign office, in an official note, informed Mr. White that "the next step was to bring in an act of Parliament."

On the 28th of April Mr. White was informed that an act of Parliament would be necessary in addition to the order in council, but that "neither act nor order could be draughted *until Canada is heard from.*"

Mr. Phelps returned to London on the 22d of June, and immediately took up the subject, earnestly pressing Lord Salisbury to come to a conclusion. On the 28th of July he telegraphed his Government expressing the "fear that owing to Canadian opposition we shall get no convention."

On the 12th of September Mr. Phelps wrote to Secretary Bayard that Lord Salisbury had stated that "the Canadian Government objected to any such restrictions [as those asked for the protection of the seal fisheries], and that until Canada's consent could be obtained, Her Majesty's Government was not willing to enter into the convention."

I am justified, therefore, in assuming that Lord Salisbury can not recur to the remark of Mr. Phelps as one of the reasons for breaking off the negotiation, because the negotiation was in actual progress for more than four months after the remark was made, and Mr. Phelps himself took large part in it.

Upon this recital of facts I am unable to recall or in any way to qualify the statement which I made in my note of June 4th, to the effect that Lord Salisbury "abruptly closed the negotiation because the Canadian Government objected, and that he assigned no other reason whatever."

Lord Salisbury expresses the belief that even if the view I have taken of these transactions be accurate they would not bear out the argument which I found upon them. The argument to which Lord Salisbury refers is, I presume, the remonstrance which I made by direction of the President against the change of policy by Her Majesty's Government without notice and against the wish of the United States. The interposition of the wishes of a British province against the conclusion of a convention between two nations, which, according to Mr. Phelps, "*had been virtually agreed upon except as to details*," was in the President's belief a grave injustice to the Government of the United States.

I have, etc.,

JAMES G. BLAINE.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 451.

TRADE-DOLLAR BULLION.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

SUBMITTING

A report of the Director of the Mint in reply to the House resolution of the 23d instant, inquiring why the "trade-dollar bullion" so called has not been recoined into standard silver dollars or subsidiary coin, as required by section 2 of the act of March 3, 1887.

JULY 26, 1890.—Referred to the Committee on Coinage, Weights, and Measures.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., July 25, 1890.

SIR: I have the honor to acknowledge the receipt of House resolution, dated 23d instant, providing as follows:

Whereas the statement of the assets and liabilities of the Treasury of the United States, made by the Treasurer of the United States, under date of May 31, 1890, shows that there is carried $6,074,538 "trade-dollar bullion," as an asset of the Government; and

Whereas, under section 2 of the act of March 3, 1887, providing for the retirement and recoinage of trade-dollars, it is required that the trade-dollars received under said act "shall be transmitted to the coinage mints and recoined into standard silver dollars or subsidiary coin:" Therefore, be it

Resolved, That the Secretary of the Treasury be requested to inform the House why the trade-dollars so received and held in the Treasury as an asset, aforesaid, have not been coined as required by said act,

and to inclose herewith copy of report of this date from the Director of the Mint, to whom the resolution had been referred, which report contains the information desired.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
BUREAU OF THE MINT,
Washington, D. C., July 25, 1890.

SIR: Acknowledging the receipt of your reference of the 24th instant of a resolution of the House of Representatives requesting to be informed

why the trade-dollars redeemed and held in the Treasury as an asset have not been coined, I have the honor to report as follows :

The total number of trade-dollars redeemed under the act of March 3, 1887, was 7,689,036. Of this number 603,000 were redeemed by the assistant treasurer at San Francisco and transferred to the mint in that city and have all been converted into subsidiary silver coin. There were redeemed at the sub-treasuries east of the Rocky Mountains 7,086,036, of which 3,495,533 were redeemed at the sub-treasury at New York and transferred to the United States assay office in that city and melted into large bars, where they are still on storage. The balance, 3,590,503, redeemed at the other sub-treasuries were transferred to the mint at Philadelphia, and a part of them have been used in the coinage of dimes.

The act of March 3, 1887, authorizing the redemption of the trade-dollars, provided that they should be "recoined into standard silver dollars or subsidiary coin, at the discretion of the Secretary of the Treasury; provided, that the trade-dollars recoined under this act shall not be counted as part of the silver bullion required to be purchased and coined into standard silver dollars, as required by the act of February 28, 1878."

Owing to the fact that the coinage of the bullion purchased under the act of 1878 was mandatory, and has, together with the heavy and continuous demand for minor coins for the last four years, taxed to the utmost the capacity of the mint of the United States at Philadelphia, it has not been practicable to recoin the entire amount of trade-dollars redeemed at Eastern treasury offices.

In addition to the minor coins required to be manufactured by the mint at Philadelphia, in order to relieve the sub-treasuries and, at the same time, supply a demand for fractional silver coins, large amounts of worn and uncurrent silver coins have been transferred to that mint and have been converted into dimes.

It is the intention of the Department to coin the trade-dollar bullion on hand into silver coins of the United States as fast as the mandatory business of the mint at Philadelphia will permit and the demands of the Department require.

The resolution is herewith returned.

Respectfully, yours,

E. O. LEECH,
Director of the Mint.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 452.

ESTIMATES FOR THE UNITED STATES COURTS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A copy of a communication of the Attorney-General, submitting estimates of appropriations to defray expenses of the United States courts for the fiscal year 1890 *and for prior years.*

JULY 31, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *July* 30, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of July 28, 1890, submitting estimates of appropriations required to defray the expenses of United States courts for the fiscal year 1890 and for prior years, amounting to $155,740.33.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 28, 1890.

SIR: You are respectfully requested to state to the Speaker of the House of Representatives that appropriations are needed to defray the expenses of the courts for the fiscal year 1890 and prior years, as follows:

Special compensation of district attorneys for unofficial services for fiscal year—

1890	$5,000.00
1889	3,599.95
1888	2,900.00
1887	630.00
1886	430.00
1885	610.00
1884	2,600.00

The item for 1890 is made up of accounts that have been approved, or are in hand for approval, or will be presented for approval, as authority has already been given to incur them.

Pay of assistant attorneys, 1888	$440.00
Pay of regular assistant attorneys, 1890	3,000.00
Services special assistant attorneys:	
1890	8,000.00
1889	16,931.47
1888	7,013.03
1887	4,796.20
1886	1,700.00
Fees United States commissioners:	
1888	1,975.17
1889	23,975.96
1890	45,000.00

The appropriation for 1890 became practically exhausted May 24, 1890. There remain to be paid the unsettled accounts of the third quarter and all of the accounts of the fourth quarter of the fiscal year 1890.

Expenses under this appropriation have grown during the last year from increased business in the courts at Muscogee, Ind. T.; Paris, Tex.; Fort Smith, Ark., and the various places where new courts have been established in the States during the past few years.

Miscellaneous expenses for 1890 ..... $25,000.00

Although the appropriation for miscellaneous expenses in the words of the statute is, "For payment of such miscellaneous expenses as may be authorized by the Attorney-General," the exclusive jurisdiction of the Attorney-General over these expenses is, at times, practically overborne.

The marshals incur expenses upon the orders of the judges which the Attorney-General might hesitate to authorize if he were first consulted, and there are many expenses that must be met at once by the marshal that can not be postponed for authority to be first obtained from the Attorney-General, a fact especially true of distant districts.

Defending suits in claims against the United States, 1890 ..... $2,138.55

in lieu of the amount on page 51 of the pending deficiency bill, lines 22 and 23; this increase having come to the knowledge of the Department within a few days.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 453.

LAND PATENTS TO THE UNION PACIFIC RAILWAY COMPANY.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In response to a resolution of July 21, 1890, *information relative to the issuing of patents for land within the limits of the grant to the Union Pacific Railway Company, etc.*

JULY 31, 1890.—Referred to the Committee on the Public Lands.

DEPARTMENT OF THE INTERIOR,
Washington, July 31, 1890.

SIR: Your honorable body adopted the 21st instant, and duly transmitted to this Department, a resolution as follows:

That the Secretary of the Interior be, and he is hereby, requested to inform the House of Representatives, as soon as practicable, by what authority and why he has authorized and directed the issue of patents to the Union Pacific Railroad Company for the lands granted to the said company prior to the payment of the debt due the United States from said company, and that he also report to the House the amount of land that has been patented or certified to each of the land-grant corporations of the Union Pacific Railway system up to this date.

On June 28, 1890, a reply from the Secretary of the Interior had been transmitted to the Senate to a resolution that was as follows:

That the Secretary of the Interior be directed to report the cause of withholding patents for lands within the grant to the Union Pacific Railway Company which are free from all claims and were not reserved at the date of the definite location of the company's road.

That reply was duly printed by that honorable body as "Senate Executive Document No. 169 of the Fifty-first Congress, first session," and it may be adopted here as an answer for the most part, because the resolution of your very honorable body demands why the Secretary directs the issue of patents, which that of the honorable Senate differs from mainly by demanding for what cause he withheld the same patents. (A copy of the reply, as printed, is herewith transmitted.) It is therein stated as the conclusion of the Secretary:

That the indebtedness of the railroad company to the United States does not authorize this Department to withhold patents to lands granted to the company and for which lists have been filed. It is a subject for legislative control, if it can be controlled at all.

It is there also stated that—

A large portion of the lands unpatented lie in the States of Kansas and Nebraska and have already passed into the hands of innocent purchasers from the railroad company. These lands are being cultivated by the citizens of those States for farms, and on them the homes of the people have been established. There never has been an act introduced whereby such lands, under any circumstances, would be seized for the United States from the possession of the present occupants; to deprive whom of these possessions under any decision that might be rendered as to the railroad, would be an act of the greatest injustice. Delay in giving these settlers full title to land they have fully paid for and improved can not be justified.

It is also a fact that a great number of applications and petitions received from those on these lands prove that while the railroad company that has sold the lands suffers comparatively little, many of these settlers are in great distress from the want of a complete chain of title of record to their lands. The company reports to December 31, 1889, that it has sold 13,188,396.69 acres of land for $31,325,294.90, and that there were outstanding on accouut of time sales $11,661,676.14.

It is to be observed that title to these lands does not pass by the patents executed and delivered, but only by force of the very statute itself. The patents are merely evidences (the highest and best, to be sure, as any other deeds) that the title has passed, but yet merely evidences. If the patents were never issued, the railroad company would own the land just the same if built within the time required.

These plain propositions are not technical, nor does it require any professional education to understand them—they are apparent upon the plain reading of the statute itself in the light of the opinions of the Supreme Court of the United States.

Thus in the case of Schulenberg *vs.* Harriman (21 Wallace Reports, p. 44) it is decided that where the grants are "*in præsenti*" they pass the title to the railroad of the odd sections designated to be afterwards located; when the route is fixed their location becomes certain and the title, which was previously imperfect, acquires precision and becomes attached to the land; that the lands granted do not revert to the United States, although the road is not constructed within the period prescribed, no action having been taken either by legislative or judicial proceedings to enforce a forfeiture of the grants.

In the present case the road was built on time, as hereinafter more particularly stated, and so the title vested beyond possibility of forfeiture. Let the statute be examined for a moment. The original act is dated July 1, 1862 (12 Stats., 489). By section 3 it was therein ordained—

that there be and *is hereby granted* to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of land designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad on the line thereof, and within the limits of 10 miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States and to which a pre-emption or homestead claim may not have attached at the time the line of said road is definitely fixed.

It was also provided in the same section:

All such lands so granted by this section which shall not be sold or disposed of by said company within three years after the entire road shall have been completed shall be subject to settlement and pre-emption, like other lands, at a price not exceeding $1.25 per acre, to be paid to said company.

By section 4 it was provided that whenever the company shall have completed 40 consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by the act, and supplied all appurtenances of a first-class railroad, the President should ap-

point three commissioners to examine and report to him in regard thereto, and it appearing to the President that 40 consecutive miles had been completed and equipped in all respects as required by the act, "*patents shall* issue" conveying the right and title to said lands to said company on each side of said road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each 40 miles of said railroad and telegraph line are completed, upon certificate of the commissioners.

The grant was afterwards enlarged by the act of July 2, 1864 (13 Stats., 356), to 20 miles on each side of the road.

By the terms of section 17 (12 Stats., 497) it was provided that if the roads named in the act were not completed as required by July 1, 1876, the whole of the railroads before mentioned, together with their lands and property of every kind and character, should be forfeited to and be taken possession of by the United States.

The time of completion was extended a short period by a subsequent act.

As heretofore mentioned the entire line of this company was constructed within the time limited by law, and was accepted by the President after inspection by the commissioners appointed for the purpose. The title passed by the statute and the performance of this condition absolutely to the company. Unless, therefore, there is some other reason than that designated in the statute, and mentioned in the resolution of the House, the patents for the lands designated in the grant should not be withheld; but the Secretary should on careful inspection of the lists approve the same so far as they are correct, and the President should execute and cause to be delivered the patents provided for, unless the legislative branch of the Government, for reasons deemed just and sufficient by it, chooses by controlling action to interfere.

The contention that a pecuniary liability of the company to the United States authorizes the Executive to withhold these patents was not deemed by President Cleveland well founded. His language is in strict accordance with the opinion of the Supreme Court above cited. President Cleveland said:

> If donated lands are not yet granted these companies, and if their violation of contract and of duty are such as in justice and morals forfeits their rights to such lands, *Congressional action* should intervene to prevent further consummation. *Executive power must be exercised according to existing laws, and Executive discretion is probably not broad enough to reach such difficulties.*

See also United States *vs.* Union Pacific Railway Company, 91 U. S. S. C. R., p. 72.

The Congress to which these words were addressed not having acted the present Secretary of the Interior, in his annual report dated November 15, 1889, transmitted by the President with his message to the present Congress, states (page 29):

> * * * Where the railroad company is claiming the land by virtue of the grant it imposes a great burden upon the Commissioner of the Land Office and the Secretary of the Interior to have to determine whether the patents shall be issued or not. * * * If Congress intends to forfeit the lands, all the facts are before it. The failure to act may well be taken as an indication on the part of the Government that the forfeiture will not be insisted upon. * * * There should certainly be found somewhere the moral courage to give the evidence of title to the railroads as it is given to the individual, if it is intended that any possible forfeiture will not be insisted upon.
>
> The obligation, however, fairly rests on Congress, and it is hoped that the latter will assume it and act without further delay. Not only the railroad companies are interested in the decision of these matters, but also the Government in order that its business may be disposed of, the citizens, who have purchased from the company, relying upon the grant, and the settlers who, in anticipation of the restoration of their lands to the public domain, have settled upon them under the homestead or other laws.

With this report before it the honorable Senate, first on December 21, 1889, and afterwards on March 10, 1890, instead of intimating any disposition to forfeit any railroad lands, demanded of the Secretary the cause of withholding patents for the lands within the limits of the grant to the Union Pacific Railway Company as hereinbefore set forth, and the honorable House of Representatives had given no intimation on the subject of these lands whatever. The resolution of the Senate demanded immediate investigation, some conclusion of judgment by the Secretary and a reply. This duty was performed and the reply made hereinbefore in part set forth.

In harmony with the reasoning herein presented that reply also stated—

> That the actual titles to the lands passed to this railroad company, *by force of and under the statute itself*, just so soon as its conditions were complied with, as has repeatedly been decided by the Supreme Court, and the executive action of the Secretary in approving lists or issuing patents is the exercise of a plain duty under the law. He was not consulted as to its enactment and he should not be expected to nullify its operation. No reason is deemed to exist, therefore, why the Secretary should not proceed now to deliver to the Union Pacific Railroad Company the lands that have been earned, and it is his intention to certify these lists, commencing at the eastern portion of the unpatented lands in Kansas and Nebraska, where the lands are agricultural, have been sold, and are in the use of actual settlers.
>
> If there is any objection existing on the part of Congress this action may be prevented by any resolution or act that may be controlling in its effect. The patent that has been executed already by the previous Executive will be recorded, patents will be issued on the lists approved by the previous Secretary, and lists not yet approved will be examined in due order.
>
> This conclusion, I will add, is in accordance with the recommendation of the Commissioner of the General Land Office and also with the opinion of the Assistant Attorney-General assigned to this Department.

This reply, besides being printed by the Senate, found its way almost complete into the Associated Press dispatches. It acquired an extraordinary publicity.

This reply was immediately followed by an order to the Commissioner of the General Land Office, a copy whereof is herewith transmitted, whereby the Secretary informed him distinctly as to the reply to the Senate resolution, and inclosing to him a copy thereof, and the Secretary saying therein, among other things, "I have decided that the Union Pacific Railroad Company is entitled to the approval of its lists as the same may be examined by me and found correct."

The Commissioner was therein also instructed to act in accordance with the views therein expressed:

> You will have the patents, heretofore signed by the President, completely recorded and delivered. You will have patents upon list No. 28, approved April 21, 1887, duly executed, recorded, and issued.
>
> You will find herewith also list No. 21, Union Pacific Railway Company, Topeka district, Kans., approved by me this day, on which patents shall be executed, recorded, and issued; and all orders to the contrary are hereby rescinded. * * *

There was also a list for Nebraska sent that or the next day.

This letter and order were not only letter-pressed in the lands and railroads division of the Secretary's office for public inspection, and so became a public record, but it became the necessary and public order and authority for any action by the Commissioner in the General Land Office.

There has not been a hasty step taken nor an act or order concealed; but from the annual report of last year to the present the conclusion has been slowly reached and the record made and preserved step by step.

There was an opinion prepared by the Secretary, at the same time with

the order, discussing the rights of the Union Pacific Company under these and other conditions therein stated which was not promulgated to the public, it being deemed but prudent before so doing, its general conclusion having been effected by the letter and order to the Commissioner, to await any answer the Senate might make as to the position taken by the Secretary's reply. But since the presentation of the resolution of your honorable body, and chiefly because of the suspicion expressed on the floor that the order of the Secretary was a secret one, this opinion has been made public without further delay. A copy thereof is herewith transmitted.

In this opinion the question of whether the patents should be issued pending the general indebtedness of the company to the United States is referred to. This opinion affirmed the position of the Commissioner of the General Land Office expressed in his letter to the Secretary, dated December 30, 1889, wherein he says:

> The legislation suggested by the Pacific Railway Commission to authorize the withholding of patents to lands granted until the Government indebtedness, not yet due, is satisfied or futher secured, is, in my opinion, not feasible. (Union Pacific and Central Pacific Railroad Company *vs.* United States, 99 U. S., 719.) The innocent purchasers are the real sufferers, and judging from the numerous letters received narrating their distressing hardships and urging that their titles may be freed from seeming cloud, both justice and equity warrant an early issue of patents to all lands to which the company is justly entitled.

The argument for the Secretary's authority summed up is, that the United States granted the lands to the company by the act of July 1, 1862, and as of that date (*in præsenti*), which title attached to the particular alternate sections on the final location of the road filed and only to be forfeited upon failure to build the road within the period limited in the act; that the road was built on time and accepted accordingly by the President for the United States; if any other cause of forfeiture exists it must be declared by Congress and not attempted to be enforced by the Executive, and in event of any forfeiture it will not and can not in justice be applied to the innocent purchasers and settlers occupying the lands.

There has now herein been presented, it is thought, sound authority in the Secretary to act as he has done, and at least ordinarily good precedent in the opinions of his late predecessors, and it is submitted also that the reason "why" he acted at the time he did was because one part of the honorable Congress was demanding he should act at the time he did, as your own honorable portion of the same Congress now, after he has acted, is demanding "why" he did.

As has been said herein and in other papers by the present Secretary, if Congress deems it proper to relieve him from proceeding, he is as willing to have the responsibility transferred to others as he has been to assume that which belonged to his official position. It is his purpose only to perform his duty with justice to all alike.

The following tables exhibit the amount of land that has been patented or certified to each of the land-grant corporations of the Union Pacific Railway system up to the date of the resolution, July 21, 1890:

Union Pacific main line:

	Acres.
Before March 4, 1887 (the inauguration of President Harrison)	2,616,258.08
On patent signed by President Cleveland, but not completely recorded until June 28, 1890	381,899.14
On lists approved by Assistant Secretary Muldrow	87,985.79
On lists approved by the present Secretary	none

The pending selections of this company are:

	Acres.
In Nebraska	139,425.39
In Utah	107,778.09
In Wyoming	1,915.11
Total	249,118.59

Kansas Pacific and Denver Pacific.

	Acres.
Patents issued before March 4, 1889 (inauguration of President Harrison)	1,128,435.54
Clear lists pending at date last named, as far as then examined	780,173.55
Of which patents have been ordered June 28, 1890, for	16,788.03
Selections pending in Kansas and Colorado for	1,636,277.82

There were some land and patents within the "quadrant" south and west of Denver which have been excluded from the grant, and a suit is now pending to recover said lands.

The Union Pacific grant.

The estimated quantity of land embraced in the limits of the grant of the Union Pacific is as follows:

Union Pacific:	Acres.
Maine line	12,000,000
Kansas Pacific	6,000,000
Denver Pacific	1,000,000
Total	19,000,000

The Union Pacific has no indemnity belt; hence its losses will reduce the estimate, as they can not be restored from the indemnity as in grants to many other companies.

The great obstacle to the adjustment of these grants is the lack of surveys from non-appropriation of funds by Congress.

Most respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

[Senate Ex. Doc. No. 169, Fifty-first Congress, first session.]

Letter from the Secretary of the Interior, in further response to resolution of December 21, 1889, relative to the withholding of patents for lands within the limits of the grant to the Union Pacific Railroad.

DEPARTMENT OF THE INTERIOR,
Washington, June 28, 1890.

SIR: There was received at this Department a resolution of the honorable Senate, dated December 21, as follows:

> That the Secretary of the Interior be directed to report the cause of withholding patents for lands within the limits of the grant to the Union Pacific Railway Company, which are free from all claims and were not reserved at the date of the definite location of the company's road.

This was duly acknowledged, and as the subject was under consideration it was expected to make a further reply as soon as conclusions were arrived at. The resolution was repeated March 10, 1890, and

transmitted to the Department, and thereto also reply was made to the same effect as that to the first.

Further and full reply to these several resolutions is now submitted; and I have to state that the delay in making this final response has been caused by the consideration due to the very important questions connected with the right of the Union Pacific Railway to the lands claimed by it under its grant. The perception of these difficulties is not of recent origin. During the last administration lists involving thousands of acres of these lands were applied for by the railroad company, were duly considered and signed by the proper clerks in the Land Office, approved by the Commissioner, and ordered to patent by the Secretary. Indeed, a patent for part of these lands was duly executed April 25, 1887, by President Cleveland, for 381,899.14 acres, but was suspended before it was recorded. In cases where the patents were not executed, the lists were suspended and have so remained to the time of the present decision.

It thus appears that not only was it deemed by the previous administration that the Union Pacific Railroad Company had earned its title to its lands in Kansas and Nebraska, but the right thereto had been acknowledged by the Commissioner of the General Land Office and the Secretary. This action was acquiesced in also by the then President, Mr. Cleveland. But at this juncture a letter was received at the Department from the Pacific Railway Commission, organized under the act of March 3, 1887, making inquiries as to the issue of these patents, pending the then announced indebtedness of the railroads to the United States, and the President, Mr. Cleveland, in transmitting the report of the Commission, and referring to the suspension of patents for the company's land grants, said, "the executive power must be exercised according to existing laws, and executive discretion is probably not broad enough to reach such difficulties." Yet the Fiftieth Congress, to which this language was addressed, adjourned without enacting any further legislation on the matter.

The subject has now received, as it is thought, sufficient consideration, and the conclusion has been reached that the indebtedness of the railroad company to the United States does not authorize this Department to withhold lands granted to the company and for which lists have been filed. It is a subject for legislative control, if it can be controlled at all. A large portion of the lands now unpatented lie in the States of Kansas and Nebraska, and have already passed into the hands of innocent purchasers from the railroad company. These lands are being cultivated by the citizens of those States for farms, and on them the homes of the people have been established. There has never been an act introduced whereby such lands, under any circumstances, would be seized for the United States from the possession of the present occupants; to deprive whom of these possessions, under any decision that might be rendered as to the railroad, would be an act of the greatest injustice. Delay in giving these settlers full title to lands they have fully paid for and improved can not be justified.

This railroad was built on time and has complied, so far as is known, with all of the conditions of the land grant. No mineral claims exist thereon, and therefore there is no need to exercise that greater strictness that must be applied in mineral districts. That the actual titles to the lands passed to this railroad company by force of and under the statute itself, just so soon as its conditions were complied with, has repeatedly been decided by the Supreme Court, and the executive action of the Secretary in approving lists or issuing patents in the exercise of

a plain duty under the law. He was not consulted as to its enactment, and he should not be expected to nullify its operations. No reason is deemed to exist, therefore, why the Secretary should not proceed now to deliver to the Union Pacific Railroad Company the lands which have been earned, and it is his intention to certify these lists, commencing at the eastern portion of the unpatented lands in Kansas and Nebraska, where the lands are agricultural, have been sold, and are in the use of actual settlers.

If there is any objection existing on the part of Congress this action may be prevented by any resolution or act that may be controlling in its effect. The patent that has been executed already by the previous Executive will be recorded. Patents will be issued on the lists approved by the previous Secretary, and lists not yet approved will be examined in due order.

This conclusion, I will add, is in accordance with the recommendation of the Commissioner of the General Land Office and also with the opinion of the Assistant Attorney-General assigned to this Department.

Most respectfully,

JOHN W. NOBLE,
Secretary.

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
Washington, June 28, 1890.

SIR: I have this day sent to the Senate in response to its resolution requiring the same, a statement of the position of the Department in regard to the land grant of the Union Pacific Railroad. A copy of this is herewith inclosed, from which you will perceive that I have decided that the Union Pacific Railroad Company is entitled to the approval of its lists as the same may be examined by me and found correct; that the previous patents signed by the President (Mr. Cleveland) shall be recorded, and that the previous lists approved by the Secretary of the Interior preceding me shall go to patent. I have, therefore, to instruct you to act in accordance with the views therein expressed. You will have the patents heretofore signed by the President completely recorded and delivered.

You will have patents upon List No. 28 approved April 21, 1887, duly executed, recorded and issued.

You will find herewith also List No. 21 Union Pacific Railway Company, Topeka District, Kansas, approved by me this day, on which patents shall be executed, recorded and issued; and all orders to the contrary are hereby rescinded.

My opinion upon the general rights of the Union Pacific Railroad Company to its grant has been signed and sent to the Lands and Railroad Division for promulgation.

Very respectfully,

JOHN W. NOBLE, *Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

UNION PACIFIC RAILWAY COMPANY, KANSAS DIVISION—SUSPENSION OF PATENTS.

DEPARTMENT OF THE INTERIOR,
Washington, June 28, 1890.

SIR: By letter of December 17, 1887, your office submitted a statement relative to the suspension of patents for lands in the State of Kansas, granted by acts of July 1, 1862, and July 2, 1864, to the Leavenworth, Pawnee and Western, afterwards the Kansas Pacific Railroad Company, now known as the Union Pacific Railway Company, Kansas Division.

Said report states that—

On October 1, 1883, the governor of the State of Kansas addressed a letter to the Department in which, after referring to petition and argument respecting said grant filed in the Department of Hon. S. J. Crawford, attorney for the State, and to the fact that lists embracing several hundred thousand acres had been, or were about to be filed in this office for certification, regardless of the failure of said company to comply with the law as shown by Mr. Crawford he requested that no more lands be certified to the railway company until the grant had been adjusted according to law, in order that the rights of the State as well as the settlers might be protected. November 3, 1883, Hon. S. J. Crawford filed in this office a printed copy of his petition and argument referred to by the governor and asked that the issue of patents to said company be suspended until the questions submitted were determined.

It appears from said report that thereupon an order directing that the issue of such patents be suspended was made by your office.

Said report further states that—

The Union Pacific Railway has, since 1883, filed lists of selections and applications for patents for upwards of 800,000 acres and has paid the fees for selecting and surveying the same.

On the 22d October, 1886, Messrs. Shellabarger & Wilson, of this city, attorneys for said company, requested that patents for such of the selected lands as were clearly subject to the company's selection be issued at the earliest practicable day.

Your office after a review of the questions presented concluded in said report that the points raised by Mr. Crawford "do not reach to the right of the company to the lands now in controversy," and proposed, with the approval of the Department, to prepare and submit for approval lists of the selected lands as a basis for patent.

I have considered the questions presented, as will appear by the following:

By section 1 of the act of Congress approved July 1, 1862 (12 Stat., 489), the Union Pacific Railroad Company was authorized to construct a railroad from a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, to the western boundary of Nevada Territory.

By section 7 it was provided:

"That within two years after the passage of this act said company shall designate the general route of said road, as near as may be, and shall file a map of the same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within 15 miles of said designated route or routes to be withdrawn from pre-emption, private entry and sale; and when any portion of said route shall be finally located, the Secretary of the Interior shall cause the said lands hereinbefore granted to be surveyed and set off as fast as may be necessary for the purposes herein named."

By section 9 thereof the Leavenworth, Pawnee and Western Railroad Company of Kansas was authorized—

To construct a railroad and telegraph line from the Missouri River at the mouth of the Kansas River, on the south side thereof, so as to connect with the Pacific Railroad

of Missouri, to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned.

Said section further provided that the route in Kansas west of the meridian of Fort Riley was to be subject to the approval of the President, to be determined by him on actual survey, and the company was required to file its acceptance of the conditions of said act in the Department of the Interior within six months after the passage of the act.

It is urged by Mr. Crawford that said company failed to file its acceptance of said grant under seal, and is therefore disqualified from receiving the lands granted.

It should be noted that the provision in section 7 of said act, "That said company shall file their assent to this act under the seal of said company in the Department of the Interior," applies in terms only to the Union Pacific Company. The road in question is not mentioned until section 9 thereof is reached, and that section provides that it shall file its "acceptance of the conditions of this act in the Department of the Interior, within six months after the passage of this act." The requirement of the seal is omitted.

But if this is not a conclusive answer to the objection, the records of the Department show that on November 24, 1862, a resolution of the board of directors of the Leavenworth, Pawnee and Western Railroad Company was received, transmitted by J. H. McDowell, president of the company, and certified by the secretary thereof, as taken by him from the books of the company, accepting the provisions of said act. This resolution was accepted by the Department as a proper one, and its receipt acknowledged. Subsequently, in response to a resolution of the Senate, the Department transmitted a copy of said resolution to that body on March 4, 1864, pending the passage of the amendatory act of that year increasing the grant to said company. The validity of the acceptance has never been questioned. The Department has acted on it, the road has been built, and Congress, with a full knowledge of the character of the acceptance, has conferred additional grants on the company.

The Government, in two of its branches, and the company have treated the acceptance as valid and titles have vested on the faith of that transaction. As between them there can be no question of the validity of the acceptance. Perhaps it will not be questioned that a corporation may bind itself by acts not under seal. It is well settled in the United States that the acts of a corporation evidenced by vote are as completely binding upon it, and are as complete authority to its agents, as the most solemn acts done under its corporate seal. Angell and Ames on Corporations, section 237. Bank of United States *vs.* Dandridge, 12 Wheat., 64; 2 Kent Com., 288; Garrison *vs.* Coombs, 22 Am., Dec. 120 (7 J. J. Marshall, 84 Kentucky).

The conditions of the amendatory act of 1864 were accepted by the company, under seal.

The main objection urged against the issue of patents has reference to a change of the route of the road. The following recital of facts becomes necessary:

By letter dated July 2, 1862, Mr. Thomas Ewing, as attorney for the Leavenworth, Pawnee and Western Railroad Company, filed in your office a map of the State of Kansas and the Territory of Nebraska, on which was indicated in pencil the "probable" route of the road from a point on the Kansas River, opposite the town of Lawrence, thence

up said river to the mouth of the Republican River, thence up that river to the one hundredth meridian of longitude. On July 17, 1862, the local officers for the proper land districts in Kansas and Nebraska were directed to withdraw the lands within 15 miles of said probable route from settlement and entry. This withdrawal was subsequently modified so as to open the lands in the even numbered sections to entry under the pre-emption and homestead laws at the double minimum price.

By said act of Congress approved July 2, 1864 (13 Stat., 356), the act of July 1, 1862, was amended so as to increase the grant to ten sections per mile, to be taken within a limit of 20 miles on each side of the road, and to provide for the withdrawal of the odd sections within 25 miles of the road on filing map of general route.

By section 5 of said act the time for designating the general route of said railroad, and of filing the map of the same, and the time for the completion of that part of the railroad required by the terms of the act of 1862 of each company, was extended one year from the time designated in the act of 1862.

On July 1, 1865, a map showing the general route of the road in question from the Missouri River to the one hundredth meridian of west longitude, was filed. The line shown upon said map was almost identical with the line of "probable route" designated by the map filed by Mr. Ewing in 1862. The map was referred to your office for appropriate action and with your office letter of July 3, 1865, returned to the Department, with the recommendation that as the odd sections within fifteen miles of the line shown thereon were already withdrawn, no further withdrawal should be ordered until the road had been surveyed and located and a map thereof filed in the Department. No further withdrawal was made at that time.

By act of Congress approved July 3, 1866 (14 Stat., 79), amendatory of said act of 1864, the Union Pacific Railway Company, Eastern Division was authorized to designate the general route of its road, and file a map of the same, at any time before December 1, 1866, and upon the filing of said map of general route, the Secretary of the Interior was directed to withdraw from sale the lands along the entire line, so far as the same might be designated. It was provided, however, that said company should connect its road with the Union Pacific Railroad, but not at a point more than 50 miles westwardly from the meridian of Denver.

On July 11, 1866, the company filed a map designating the general route of its road from Fort Riley, up the Smoky Hill River, to the western boundary of Kansas, whereupon the odd sections within 25 miles of such route were withdrawn from entry by order of the Secretary of the Interior, and in November following such of the lands withdrawn along the route up the Republican as were not within 25 miles of the new route were restored to settlement and entry.

The road west of Fort Riley was definitely located in sections, the maps of which were filed as follows:

From Fort Riley to Fort Harker, May 8, 1867.

From Fort Harker to Fort Hays, September 21, 1867.

From Fort Hays to the three hundred and thirty-fifth mile-post, December 6, 1867.

From the three hundred and thirty-fifth to the four hundred and fifth mile-post, May 6, 1870.

From the four hundred and fifth mile-post to Denver, Colo., May 26, 1870.

The line of definite location as shown upon these maps is not identical

with the line of general route, the distance between the two lines amounting in some places to as much as 25 miles.

Following the filing of these maps the withdrawal previously ordered on the line of general route was adjusted to the line of definite location, *i. e.*, such of the lands within the 25-mile limits of the withdrawal on general route as were not within 20 miles of the line of definite location were restored to entry, and at the same time such of the lands within 20 miles of the line of definite location as were not within the limits of the withdrawal on general route were withdrawn for the benefit of the grant.

It is urged that the action of the company in departing from its line of general route, and locating and constructing its road upon another and different route, was an abandonment of its grant to the extent of such departure, or at least an abandonment of such lands as are outside the withdrawal on general route, though within the withdrawal on definite location.

This question is very thoroughly considered by your office in said report, as follows:

> If the designation of the line of 1866 was such a designation of the line of the road that the right of the company thereby attached to the odd-numbered sections along such line, it follows that such line could not afterwards be changed so as to affect the grant without the consent of Congress. (Van Wyck *vs.* Knevals, 106 U. S., 360.)
>
> The question, then, is whether the right of the company attached to lands along the line of 1866, upon the filing of the map designating the same.
>
> The grant to the Kansas Pacific Railway Company is of the alternate odd-numbered sections within 20 miles on each side of its road, "not sold, reserved, or otherwise disposed of by the United States, and to which a homestead or pre-emption claim may not have attached at the time the line of said road is definitely fixed."
>
> The seventh section of the act of July 1, 1862, as amended by act of July 2, 1864, provides:
>
> "That within two years after the passage of this act, said company shall designate the general route of same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within 25 miles of said designated route or routes to be withdrawn from pre-emption, private entry, and sale."
>
> Here, apparently, are two separate and distinct lines; first, a preliminary or general line, to be followed by a withdrawal of the odd sections within 25 miles thereof, and, second, a final or definite line the designation of which identifies and attaches the company's right to the granted lands.
>
> Until the line of the road was definitely fixed the grant was in the nature of a float, requiring a definite location to attach or anchor it to the particular sections granted.
>
> In the case of Kansas Pacific Railway *vs.* Dunmeyer (113 U. S., 629), the Supreme Court, discussing the grant to said company, distinguished between the general route and the definite location, and defined the purpose and effect of each, and its decision in that case is conclusive of the question involved herein. Speaking of the line of definite location, the court said:
>
> "Wherever the road might go the grant was limited originally to five sections, and, by the amendment of 1864, to ten sections on each side of it within the limit of 20 miles.
>
> "When the line was fixed, which we have already said was by the act of filing this map of definite location in the General Land Office, then the criterion was established by which the lands to which the road had right were to be determined. Topographically this determined which were the ten alternate sections on each side of that line where the surveys had then been made."
>
> And in the case of Butts *v.* Northern Pacific Railroad Company (119 U. S., 55) the court said:
>
> "The act of Congress not only contemplates the filing by the company in the office of the Commissioner of the General Land Office of a map showing the definite location of the line of its road and limits the grant to such alternate sections as have not at that time been reserved, sold, granted, or otherwise appropriated, and are free from pre-emption, grant, or other claims or rights, but it also contemplates a preliminary designation of the general route of the road and the exclusion from sale, entry, or pre-emption of the adjoining odd sections, within 40 miles on each side, until the definite location is made."

These and similar decisions hold that the designation of the general route in no way controlled the grant, and that its purpose was to preserve the lands from other appropriation until the road could be definitely located. (Kansas Pacific Railway Company *v.* Dunmeyer; Butts *v.* Northern Pacific Railroad Company, *supra;* Northern Pacific Railroad Company, 10 Copp, 74.)

In the Dunmeyer case the Supreme Court, discussing the effect of the filing of the map of general route of the Kansas Pacific Railway, said:

"This action does not, like the filing of the line of definite location, vest in the company a right to any specific piece of land. It establishes no claim to any particular section with an odd number. It authorizes the Secretary to withdraw certain lands from sale, pre-emption, etc.

"The grant being of the odd numbered sections within 20 miles of the line of definite location, and no right to any specific lands being vested in the company by the designation of the general route, it follows that in fixing its definite location the company was not necessarily required to conform to the line of general route."

Said report further truly states that—

This Department has uniformly permitted a change of line after filing of a map of general route, and after such change has adjusted the withdrawal on general route to the line of definite location.

I concur in the conclusion reached by your office on this point.

Again it is urged that the designation of the route west of Fort Riley and the withdrawal thereon were illegal because that portion of the route was not approved by the President and that consequently the grant west of Fort Riley has failed.

It is said that, in ordering the unauthorized, unlawful, and forbidden withdrawal of July 11, 1866, Secretary Harlan, following in the footsteps of Commissioner Edmunds, seems to have disregarded all statutory requirements, legal principles, and advisory opinions. In support of this objection the opinion of Assistant Attorney-General Smith, of October 3, 1871, approved by Secretary Delano (1 C. L. L., 365), is cited.

That opinion held that the Kansas Pacific did not acquire a right to lands west of the meridian of Fort Riley under the act of 1862, because its route was not approved by the President, but that it did acquire such right by the third section of the act of March 3, 1869 (15 Stat., 324).

To this it must be answered that said opinion is in conflict with that of the United States Supreme Court, delivered in 1878, in the case of the Missouri, Kansas and Texas Railway Company *v.* Kansas Pacific Railway Company (97 U. S., 491). The court there held (syllabus) that by the act of July 3, 1866 (14 Stat., 79), the Kansas Pacific Railway Company was authorized to designate the general route of its road, and to file a map thereof at any time before December 1, 1866; Provided, that after the filing of the map the lands along its entire line, so far as designated, should be reserved from sale by the Secretary of the Interior. Within the specified time, the company filed a map designating as such general route a line from Fort Riley to the western boundary of Kansas, by way of the Smoky Hill river.

The lands upon this route, embracing among others those now in controversy, were accordingly withdrawn from sale; and in January, 1867, the road was completed for 25 miles, approved by the commissioners appointed to examine it, and accepted by the President. *Held:* 1. "That the title of the company attaching to those lands by the location of the road, followed by the construction thereof, took effect, by relation, as of the date of the said act of 1862, so as to cut off all intervening claimants, except in the cases where reservations were specially made in it, and the amendatory act of 1864." The lands there in question lay west of Fort Riley.

The provision of the statute on this point is:

> The route in Kansas, west of the meridian of Fort Riley, to the aforesaid point, on the one hundredth meridian of longitude, to be subject to the approval of the President of the United States, and to be determined by him on actual survey.

The route of 1866 was not approved by the President in person. The company, however, constructed its road upon the line of definite location and the same was accepted and approved by the President. This would appear to meet the requirement of the granting act independently of the decision of the supreme court. The map of the route was filed and accepted by the Secretary of the Interior, and on the faith of this the road was built. The President never disapproved of the route.

As a matter of fact, however, it is evident that the Department, after the passage of the act of 1866, treated this provision as not extending to the new route authorized by said act, but as still applicable to the abandoned route up the Republican where an actual survey and approval by the President was required for the purpose of ascertaining the amount of bonds of the United States to which the company would have been entitled had it constructed its road upon that route, it being restricted to that amount by the terms of the act of 1866.

A survey of the route from Fort Riley to a connection with the Union Pacific Railroad at the one hundredth meridian was accordingly made during the summer of 1868, under the direction of the Department of the Interior, by Brevet-Maj. C. W. Howell, captain of Engineers, U. S. Army, for the purpose of ascertaining "the most direct and practicable route for a railroad upon the route prescribed by the provisions of the act of 1862," which survey, to gether with the recommendation of Secretary Browning that the amount of bonds to be issued to said company in aid of the construction of its road along the new route be restricted to the length of the old route as ascertained by said survey, was approved by the President October 30, 1868.

Said report further says:

> I deem it proper, however, to add that the Pacific Railway Commission has called for much information from this office in respect to the status of grants of land to the Pacific Railroad corporations, and I have understood that some recommendation may possibly be made to Congress by said Commission touching the control or disposition of unpatented lands. I am not advised of the nature of the report that has been made by the Commission, but I think it proper to submit for your consideration the question of the expediency of deferring the perfection of railroad titles by issue of further patents to the companies which are in default in their indebtedness to the United States, pending the report of the Commission, or of action by Congress in the matter of adjustment of such indebtedness.

The facts with reference to this matter are as follows: Pursuant to the provisions of the act of Congress of March 3, 1887 (24 Stat., 488), the United States Pacific Railway Commission on April 17, 1887, was appointed by the President. The act was entitled "An act authorizing an investigation of the books, accounts, and methods of railroads which have received aid from the United States, and for other purposes." The report of the Commission was submitted to Congress with a message from the President dated January 17, 1888.

The message was devoted largely to the question of the indebtedness of said companies to the Government. It says:

> The majority of the Commission are in favor of an extension of the time for the payment of the Government indebtedness of these companies, upon certain conditions. But the chairman of the Commission, presenting the minority report, recommends, both upon principle and policy, the institution of proceedings for the forfeiture of the charters of the corporations and the winding up of their affairs.

In reference to the land grants the President said:

I desire to call attention also to the fact that if all that was to be done on the part of the Government to fully vest in these companies the grants and advantages contemplated by the acts passed in their interest has not yet been perfected, and if the failure of such companies to perform in good faith their part of the contract justifies such a course, the power rests with the Congress to withhold further performance on the part of the Government. If donated lands are not yet granted to these companies, and if their violation of contract and of duty are such as in justice and morals forfeit their rights to such lands, Congressional action should intervene to prevent further consummation. Executive power must be exercised according to existing laws, and Executive discretion is probably not broad enough to reach such difficulties.

With all the facts and the recommendations of the President before it, the Fiftieth Congress expired without enacting any further legislation on this subject.

I have thus carefully examined all the objections urged and suggested against the issuance of the patents here in question, and have found no reason to justify the further suspension of the same. The road has been completed, the selections have been made, and the fees paid, and the objections urged are not founded in law. There are no adverse claims. I, therefore, concur in the proposal of your office that proper lists of the selected lands be prepared and submitted for approval, as a basis for patent.

The existing law on this subject is found in the fourth section of said act of 1862, as follows:

And be it further enacted, That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turn-outs, watering-places, depots, equipments, furniture, and all other appurtenances of a first-class railroad, the rails and all other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States shall appoint three commissioners to examine the same and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each forty miles of said railroad and telegraph line are completed, upon certificate of said commissioners.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,
Washington, July 25, 1890.

SIR: I have the honor to acknowledge receipt of the Senate resolution of the 3d instant, which is as follows:

Resolved, That the Secretary of the Interior be directed to inform the Senate whether he has knowledge of the guarantee actual or proposed by the Union Pacific Railroad Company of the bonds or stock of any other corporation, more especially those of the Oregon Railway and Navigation Company, and of the Denver and South Park Railroad Company. Whether said Union Pacific Railroad has paid out of its surplus earnings or otherwise the indebtedness or any part thereof of said or other companies, if so, whether such guarantee or such payment or both are in accordance with law, and consistent with the obligations of said Union Pacific Railroad Company to the United States; and that the Secretary of the Interior be directed to communicate to the Senate all information in possession of his Department on the subject.

In response, I beg to state that it appears from a letter of the Commissioner of Railroads that the Union Pacific Railway Company has guaranteed at different times the bonds and interest of quite a number of other corporations, whose names, and the amount for which the guarantees have been made, will be found in the papers herewith transmitted. It appears that the payment of dividends on stock of only one company, that of the Oregon Railway and Navigation Company, has been guaranteed, and this has been done indirectly, by guaranteeing the performance of a covenant made by the Oregon Short Line Company to that effect.

Some of the roads, so far as built, whose bonds and interest have been thus guaranteed, have been operated in connection with the Union Pacific Company and as feeders thereto, and the deficiency of their operating expenses has been paid by it. Those in process of construction, whose bonds this company has agreed to guarantee, will be operated in the same way and will doubtless have their expenses and debts paid in like manner. The Denver and South Park Railroad Company had its operating expenses and fixed charges paid by the Union Pacific prior to its re-organization, as stated by the Commissioner, and will, I take it, be paid in like manner under the new arrangement, if necessary.

The guarantees spoken of have been made in pursuance of the fixed policy which the Union Pacific has followed for years, as a means of increasing the business and earnings of the main line. The policy adopted and pursued by the company in this respect has been the subject of frequent investigations on the part of the Government, and in each instance has been approved by its officers. The Government directors in the company commended the policy as wise and calculated to benefit the Government, in their reports of 1876, 1877, 1878, 1879, 1880, 1883, 1884, and 1885, as will be seen by reference to the report of the Commissioner of Railroads, May 20, 1890. The special commission, appointed under the act of March 3, 1887 (24 Stat., 488), examined the whole subject extensively, and the majority report commends the policy adopted.

The special committee appointed by your honorable body, on the President's message transmitting said report, examined into the course of the Union Pacific Company in this respect, commend its action, and say, on page 9 of its report, submitted February 10, 1890, "all but one or two (of the branches) are of value now as feeders to the main line, with reasonable prospects of large increases of business." In summing up, said committee said on page 10:

> It was demonstrated that the net earnings of the present company, derived from business turned over by or interchanged with its branch lines, amounted to $3,277,070.92, and for the last year to more than $4,000,000. In other words, the net earnings of the Union Pacific are now increased by upwards of $4,000,000 from revenues derived from traffic that was carried over its main lines, through, and because of its control over these branch or feeding lines. Without regard to other advantages that the Union Pacific Railroad may have enjoyed, or still enjoys, through its investments in this direction, it is evident that without the branch-line system it could not hold its own.

Inasmuch as, according to the report of the Commissioner of Railroads, herewith sent, said company has complied with, and continues to comply with, all the requirements of Congress as to the payments to be made to the United States, and has made the investment referred to out of its own proper share of earnings, I do not see how its action in the premises can be fairly regarded as endangering or injuring the interests of the United States as creditor of said company, or be considered otherwise than as legitimate and proper in the prosecution of its

business. It has given no lien or mortgage on, or made any pledge of, its assets on which the United States have a lien, but seems to have simply used its credit and its share of income, as it had a right to do in promotion of its proper purposes.

The legal aspects of the inquiry made by your body were referred to the Assistant Attorney-General for this Department. His opinion, which I herewith also send you, is to the effect that on the facts as shown by the Railroad Commissioner there has been no violation of the United States Statutes governing this corporation by the company in these matters, or of its obligations to the Government. In these views I concur.

Believing I have fully answered the inquiries of the Senate, I submit the foregoing and the accompanying papers.

Very respectfully,

JOHN W. NOBLE,
Secretary

The PRESIDENT OF THE SENATE.

S. Ex 453——2

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 454.

IMPROVEMENTS IN GALVESTON HARBOR, TEXAS.

LETTER

FROM

THE ASSISTANT SECRETARY OF WAR,

TRANSMITTING

Copies of the reports of the engineers in charge of the improvements in Galveston Harbor, Texas, in response to a House Resolution, dated August 1, 1890.

August 5, 1890.—Referred to the Committee on Rivers and Harbors.

WAR DEPARTMENT,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, August 5, 1890.

SIR: I have the honor to transmit to the House of Representatives a letter from the Chief of Engineers, dated the 4th instant, and its accompanying copy of the annual report of Major Charles J. Allen, Corps of Engineers, in charge of the improvements in the harbor at Galveston, Tex., together with copies of the reports which accompany the same, in response to resolution of August 1, 1890, as follows:

Resolved, That the Secretary of War be requested to furnish this House with a copy of the reports made this year by the engineers in charge of the improvements in the harbor at Galveston, Texas, especially the reports of Major Allen and H. C. Ripley, assistant engineer.

Very respectfully,

L. A. GRANT,
Assistant Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY.
Washington, D. C., August 4, 1890.

SIR: I have the honor to acknowledge receipt of resolution of the 1st instant, of the House of Representatives, requesting the Secretary of War to furnish the House with a copy of the reports made this year by the engineers in charge of the improvements in the harbor at Galveston, Tex., especially the reports of Major Allen and H. C. Ripley, assistant engineer, and in answer to its reference to this office I

beg to submit the accompanying copy of the annual report of Major Charles J. Allen, Corps of Engineers, the officer in charge of the work, for the fiscal year ending June 30, 1890, together with copies of the reports which accompany the same.

The resolution of the House of Representatives is herewith returned.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Brig. Gen., Chief of Engineers.

Hon. REDFIED PROCTOR,
Secretary of War.

IMPROVEMENT OF ENTRANCE TO GALVESTON HARBOR, TEXAS.

REPORT OF MAJOR CHAS. J. ALLEN, CORPS OF ENGINEERS.

The project for this improvement was adopted in 1874, modified in 1880, and again modified in 1886, the object being to deepen the channel so as to admit sea-going vessels of the deepest draught. The project of 1886 embraces the construction of two jetties, to be built to a height of 5 feet above mean low tide, their effect to be supplemented, if found necessary, by dredging.

The natural depth upon the outer bar was 12 feet and upon the inner bar about 13 feet, both at mean low tide. The general plan of the work is shown upon the accompanying map.

At the date of the last annual report there had been constructed, but not entirely finished, 15,200 linear feet of the south jetty, including what is known as the shore branch, 9,564 feet long and 5,636 linear feet of jetty extending seaward. The total length of railway constructed upon the crest of the jetty, including 2,175 feet in advance of the stone-work, was 17,375 feet. The railway is used for transporting material to be deposited in the jetty.

The effect of the works at the close of the last fiscal year was found in a depth of 13¼ feet upon the outer and 21 feet upon the inner bar, both at mean low tide, and a general reduction in width of the outer bar.

The amount expended to July 1, 1889, was, including outstanding liabilities, $1,967,176.27.

The work of construction continued during the past fiscal year under the contract with A. M. Shannon & Company, dated October 13, 1888. This contract was to have been completed June 30, 1889. It was extended as to time to December 31, 1889; again extended to June 30, 1890; and further extended to August 30, 1890. All additional expense caused to the United States by the extensions to be deducted from the sums due or to become due the contractors.

The work accomplished during the past year has resulted in an extension of the rock work for 4,000 linear feet, about 1,200 feet of which is not entirely completed. In addition, the rock work was completed upon 8,559 feet of shore branch, and portions of the old work received more or less repair. The railway trestle has been extended to a point 428 feet beyond the incomplete rock work. It is expected, with funds in hand, to further extend the jetty several hundred feet.

The total of rock work, complete and incomplete, is, to date, 19,200 linear feet.

A full survey of the harbor, including shore-lines, was made in April, May, and June of this year (1890). A complete map of the survey will be forwarded as soon as it can be finished. A map on a scale of 1-40,000 is herewith, containing the contours of this year and last, from which may be noted the principal changes that have occurred during the year.

There has been a deepening of about 1 foot at the shoalest part of the Galveston Channel, and some enlargement of its area, embraced within the 30-foot contour, near its junction with Bolivar Channel. There has been some slight diminution in the width of the area of Bolivar Channel, between the 30-foot contours, west of its junction with Galveston Channel, and also some increase in deep-water area east of that junction.

The 30-foot depth inside of the outer bar has advanced gulfward about 1,000 feet, the 24-foot depth about 200 feet, the 20-foot depth about 350 feet, and the 18-foot depth about 200 feet, taking the average. The 24-foot area has also been enlarged, mainly on the north side near its outer end. On the Gulf side of the bar from the jetty northward the 12-foot contour has advanced about 300 feet, the 18-foot contour about 200 feet, the 20-foot contour about 400 feet, the 24-foot contour about 600 feet, and the 30-foot contour 200 feet.

The distance between the 30-foot contours on the harbor and Gulf sides of the bar has decreased about 800 feet.

In the jetty channel the width between the 13-foot contours has decreased, but the depth in the jetty channel is, at mean low tide, $13\frac{1}{4}$ feet. There has been a notable accretion of sand on the south side of the jetty.

The work was under the immediate supervision of Mr. H. C. Ripley, assistant engineer, a copy of whose report, dated July 1, containing details of work and survey, is herewith.

The amount expended during the fiscal year ending June 30, 1889, is $205,935.39.

The tidal observations in Galveston Bay and at the harbor entrance, inaugurated in 1888, were continued. Eight self-registering tide-gauges were under observation and their records plotted. For a full account of these gauges, attention is invited to the report, hereto appended, of Lieutenant Langfit, Corps of Engineers.

In March last, running a line of precise levels to connect the zeros of the tide-gauges with each other and with the permanent bench-mark on the Hendley Building at Galveston, was commenced. The season has been one of floods for the rivers discharging into Galveston Bay, so that the work of connecting bench-marks at Galveston with those at Bolivar Point had to be done across Bolivar Gorge. The connection was made, however, and carried to the tide-gauge at Hanna's Reef, though under most disadvantageous circumstances of weather. This work of leveling is, therefore, not completed. A more extended account of the leveling is given in the report, herewith, of Mr. Gerald Bagnall, assistant engineer.

For the statement of shipments for Galveston contained in the table herewith of commercial statistics for the port of Galveston for the year ending June 30, 1890, I am indebted to Mr. Julius Runge, president of the Galveston Cotton Exchange. For the number, character, and tonnage of vessels entered and cleared for the same period, acknowledgment is due Mr. N. W. Cuney, collector of the port.

The statistics for this and other works in charge of this office were compiled by Mr. Elliott Jones, chief clerk.

It is recommended that the sum of $2,350,000 be appropriated for the fiscal year ending June 30, 1892, of which $850,000 is the amount required for extending the south jetty to the crest of the bar, and $1,500,000 for building the north jetty to the same point.

The original estimated cost of this work as revised in 1886, is	$8,478,000.00
The aggregate amount appropriated to July 1, 1890, is	2,278,000.00
The total amount expended, including outstanding liabilities, is	2,173,111.66

In addition to this there was expended the sum of $100,000 subscribed by the city of Galveston in 1883.

The work is located in the collection district of Galveston. The nearest light-houses are at Bolivar Point and Fort Point, at entrance to Galveston Bay.

The amount of revenue collected at the port of Galveston for the fiscal year ending June 30, 1890, was $131,613.17.

The increase in tonnage over last year was 174,008 tons.

Abstract of appropriations made by Congress for improving harbor at Galveston, Texas.

By act approved—	
July 11, 1870	* $25,000.00
March 3, 1871	* 20,000.00
June 10, 1872	* 31,000.00
June 23, 1874	60,000.00
March 3, 1875	150,000.00
August 14, 1876	142,000.00
June 7, 1878	75,000.00
June 18, 1878	50,000.00
March 3, 1879	100,000.00
June 14, 1880	175,000.00
March 3, 1881	250,000.00
March 4, 1882	100,000.00
By act passed August 2, 1882	300,000.00
By act approved August 5, 1886	300,000.00
By act of August 11, 1888	500,000.00
Total	$2,278,000.00

Money statement.

July 1, 1889, amount available		$38,763.46
July 1, 1890, amount expended during fiscal year, exclusive of liabilities outstanding July 1, 1889, and exclusive of payments made on contracts in force July 1, 1889	$19,022.19	
July 1, 1890, outstanding liabilities	123.25	
July 1, 1890, amount covered by uncompleted contracts made during the fiscal year ending June 30, 1089		19,145.44
July 1, 1890, balance available		19,618.02
Amount (estimated) required for completion of existing project		$6,200,000.00
Amount that can be profitably expended in fiscal year ending June 30, 1892		2,350,000.00

Submitted in compliance with requirements of sections 2 of river and harbor acts of 1866 and 1867.

* These appropriations were mostly expended in small dredging operations prior to the adoption of the project of 1874.



Note
- 6 foot depth June 1889
- 12 " " " "
- 18 " " " "
- 24 " " " "
- 30 " " " "
- 6 " " " 1890
- 12 " " " "
- 18 " " " "
- 24 " " " "
- 30 " " " "
- Shore Line " 1889

GALVESTON HARBOR TEXAS

FROM SURVEY MADE UNDER THE DIRECTION OF

MAJ. C. J. ALLEN CORPS OF ENG'RS. U.S.A.

BY

H. C. RIPLEY U.S ASS'T. ENG'R.

ASSISTED BY

R. B. TALFOR U.S. ASST. ENG'R.

IN APRIL & MAY

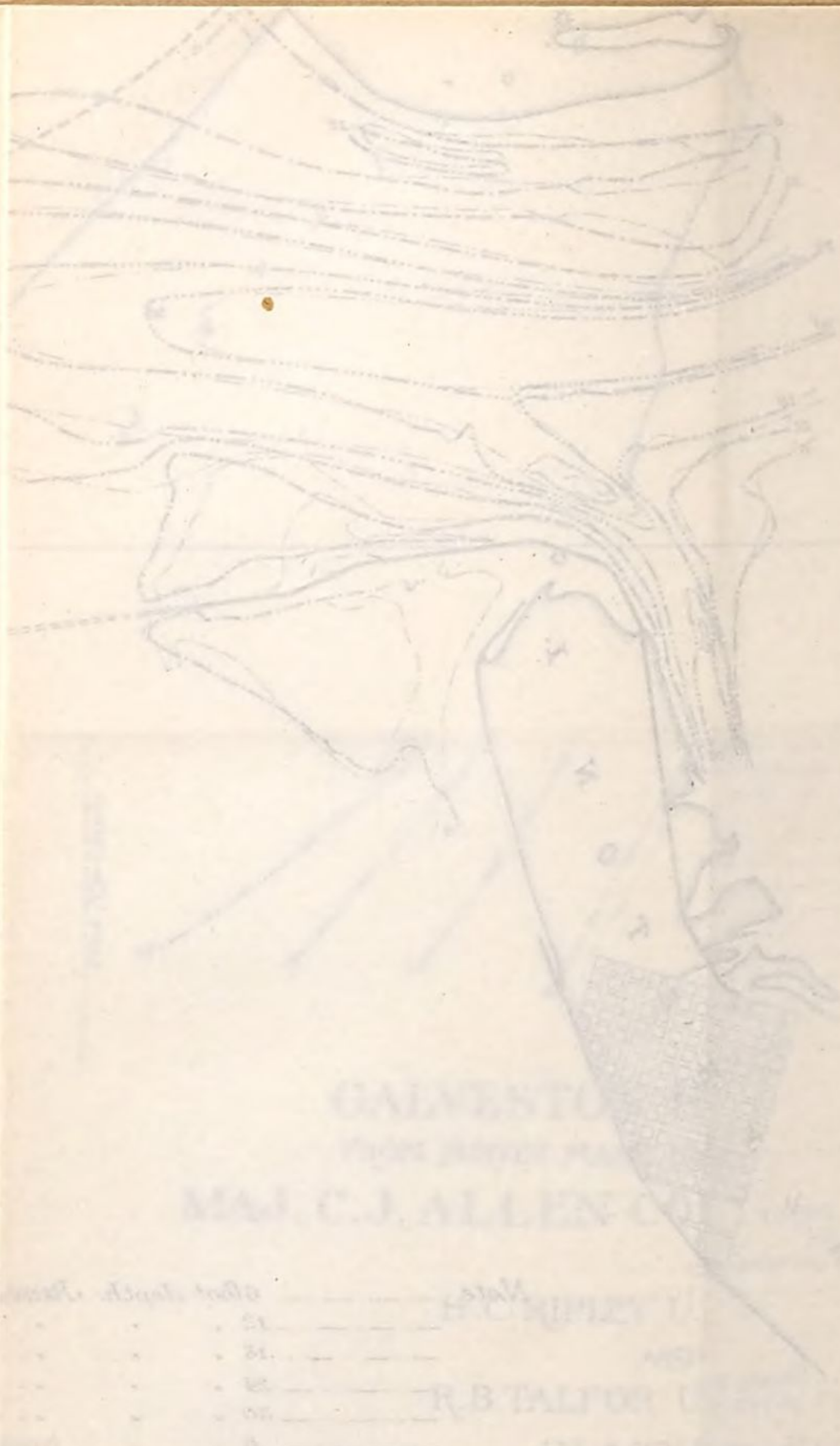
1890

SCALE OF FEET

1000 0 1000 2000 3000 4000 5000

To accompany annual report June 30th 1890

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REPORT OF FIRST LIEUT. WILLIAM C. LANGFIT, CORPS OF ENGINEERS.

UNITED STATES ENGINEER OFFICE,
Galveston, Tex., June 30, 1890.

MAJOR: I have the honor to submit the following progress report on the tidal observations of Galveston Bay:

As stated in my last report, three new gauges were put in operation at the places designated, the record from them beginning in July, 1889. The relative elevations of the zeros of the new gauges, referred to the adopted plan of reference, were determined in the usual manner by water comparisons.

It being evident that the presence of a gauge located in the gorge of the harbor would give results of great importance, it was decided, in view of the fact that the records from Round Point and Morgan's Point gauges were so similar, that one of them could be dispensed with, to dismantle the Round Point gauge and establish it in the gorge. This has been done, the Round Point record ceasing in March, and the gorge record commencing in April, 1890. The Round Point tide-gauge house was left standing with two staff-gauges on different piles with their zeros at the same level. A line of precise levels can be run to them at any time and tie in the records already obtained.

On the 3d, 4th, 5th, and 6th of April a freshet occurred in the San Jacinto River, during the course of which the current of the river entering Morgan's Canal completely carried away the tide-gauge house at Morgan's Point and the revetment of the canal on the same side as the house. The keeper, Mr. Warren, thoughtfully saved the instrument and all movable property. The gauge was located on the east side of the canal and behind the revetment. It was erected in 1887.

The gauges have been inspected much more frequently this year, resulting in a marked improvement in the records.

A greater part of the time I have been unaided in the reduction and plotting of the records, and have had to compile all numerical data for myself. As a consequence, the new matter which I can present in this report is meager, and, in fact, no complete report can be made until further physical data are obtained, notably, the relative elevations of the zeros of the gauges, current observations, including relative velocities of ebb and flood currents, with their relative durations and times of slack.

A party is now engaged in running a line of precise levels to connect the various zeros, but the results so far reported have not been received in time to be used.

While I have some data reduced from records of the new gauges, the results depend upon too few observations to be comparable with those from the older ones; they are consequently reserved for future discussion.

For these reasons the remaining portion of this report is abridged as far as may be, only such results of my reductions being given as will give relatively correct results when compared with my report of last year, together with a short explanation of the cause of the one tide a day during large declinations of the moon.

The following table gives the same facts as given in Table I of last year's report, revised to include the results of the year 1889, viz: Elevation of mean low tide referred to the plane of reference adopted at Galveston; mean fluctuation of the tide at the various gauges for the great and small declination tides, the intermediate tides, and mean of

all the tides. The bar record for 1889 is much broken, record having been obtained in eight months only—no single month complete and some with but very little record at all.

TABLE I.—*Rise and fall of tide (a).*

Location of gauge.	Plane of M. L. T. above established plane of reference (*b*).	G. D. T.	S. D. T.	I. D. T.	M. T.
	Feet.	*Feet.*	*Feet.*	*Feet.*	*Feet.*
Bar	−0.10	2.63	1.27	2.00	1.91
Government Wharf	+0.36	1.57	0.67	1.16	1.05
Rollover	+0.17	1.50	0.84	1.19	1.12
Morgan's Point	+0.56	0.81	0.42	0.67	0.60
Round Point	+0.46	0.85	0.44	0.74	0.65

(*a*) Record used begins in May, 1887, and runs to inclnde December, 1889. All records more or less broken and some very much so. (*b*) Plane of reference is the plane of M. L. T. at Government Wharf as determined by Mr. Ripley, United States assistant engineer, from observation in 1872 and 1873.

A comparison of this table with that of last year shows:

(1) That the plane of M. L. T. at the bar has been largely lowered by the additional observations, while the mean fluctuation has been largely increased. This can be partially accounted for by the fact that the whole number of observations is small and the additional ones introduced happened to contain a relatively large number of tides with very low low-water and large fluctuation.

(2) That the plane of M. L. T. at all the gauges has been lowered. The plane of M. L. T. at the various gauges for 1889 only, is as follows:

Bar	−0′.17
Government Wharf	+0′.28
Rollover	+0′.07
Morgan's Point	+0′.53
Round Point	+0′.43

all of which show a lower plane than heretofore.

(3) The plane of M. L. T. at Rollover still continues lower than at Government Wharf and its mean fluctuation slightly larger.

(4) The mean fluctuation at all the gauges has been slightly increased.

Tables IV and V of last year's report are combined in the following table, the results being determined from the observations to include 1889:

TABLE II.—*Rise of G. D. T. and S. D. T. divided by rise of M. T.**

Location.	$\frac{\text{G. D. T.}}{\text{M. T.}}$	$\frac{\text{S. D. T.}}{\text{M. T.}}$
Government Wharf	1.495	0.638
Rollover	1.339	0.750
Morgan's Point	1.350	0.700
Round Point	1.308	0.674

*See remark (a) Table I.

These results give the same indications as those given last year, yet when the absolute differences are so small a positive conclusion can not be drawn until a longer series of observations confirm the results in their relative values.

Tables II and VI of last year's report are consolidated in the following table, and extended to include the various classes of tides and the

mean tide. These results differ somewhat from the partial determination of the delays in high and low water given last year, but the conclusions are in nowise affected, as the relation between the values is still in the same direction. The time of high and low water at the Government Wharf gauge was taken as the origin, in the reduction and the results transferred to the bar gauge as an origin, by adding to the difference of time found between the Government gauge and the other gauges, the difference of time found between that gauge and the bar gauge. Owing to the limited amount of record from the bar gauge, these last differences are not so well determined, but as their absolute amounts are relatively small the other results are, I think, practically correct.

TABLE III.—*Delay of high and low water.**

Location of gauge.	Distance from bar gauge.	Delay high water.				Delay low water.			
		G. D. T.	I. D. T.	S. D. T.	M. T.	G. D. T.	I. D. T.	S. D. T.	M. T.
	Miles.	*Hrs.*	*Hrs.*	*Hrs.*	*Hrs.*	*Hrs.*	*Hrs.*	*Hrs.*	*Hrs.*
Government wharf...	6¼	1.28	1.35	1.10	1.226	1.23	1.12	1.01	1.110
Rollover	30	4.63	4.55	4.30	4.474	5.61	5.20	4.79	5.169
Morgan's Point	30¾	8.30	7.26	5.26	6.706	6.32	5.89	5.45	5.848
Round Point	35½	8.13	7.33	5.80	6.811	6.62	6.14	5.81	6.153

*See remark (*a*) Table I.

This table brings out two facts very clearly: First, that the delay for the large tides is larger than that for the smaller ones, and second, that the delay in high water is greater than that in low water, the Rollover gauge excepted, this gauge again giving an unexpected result.

Below is given Table VII of last year's report, revised to include results of 1889. It was obtained by adding to the plane of M. L. T. (Table V), for each kind of tide, its corresponding half fluctuation.

TABLE IV.—*Mid level of water.**

Location.	G. D. T.	S. D. T.	I. D. T.	M. T.
	Feet.	*Feet.*	*Feet.*	*Feet.*
Bar.....	0.815	0.915	0.830	0.855
Government wharf	0.775	0.955	0.880	0.885
Rollover	0.670	0.770	0.725	0.730
Morgan's Point.....	0.875	0.840	0.875	0.860
Round Point.....	0.775	0.800	0.770	0.785

*See remark (*a*) Table I.

This table gives about the same relative results as Table VII of last year's report, but, as there stated, the quantities are so nearly equal that no positive conclusion can be drawn from them.

In Table VIII of last year's report I gave the results obtained for the plane of M. L. T. taken out for each kind of tide independently. This table is here repeated, revised to include results of observations of 1889:

TABLE V—*Plane of M. L. T. for G. D. T., I. D. T., and S. D. T.**

Location of gauge.	G. D. T.	I. D. T.	S. D. T.
	Feet.	*Feet.*	*Feet.*
Bar	−0.50	−0.17	+0.28
Government wharf	−0.01	+0.30	+0.62
Rollover	−0.08	+0.13	+0.35
Morgan's Point	+0.47	+0.54	+0.63
Round Point	+0.35	+0.40	+0.58

* See Remark (*a*), Table I.

The explanation of these results will be found in the following remarks on the observed tide and its components:

So far as I know no explanation has ever been given by this office for the apparent anomaly of only one tide a day here during parts of a lunation, and two during the remainder. Stated briefly the reason is this: That as the moon leaves her node there is developed a tide having a period approximately of a day, which increases in size as the moon's declination increases (either north or south), and soon passes in magnitude the regular tide which occurs twice a day. This last tide is called the semi-diurnal component, and the former the diurnal component of the observed tide, the latter being produced by the combination of the two. Plate I, herewith,* presents a graphical analysis of the tide observed at the Bar Gauge into its diurnal and semi-diurnal components, and will give a good idea of their relative importance during a lunation.

Assuming that each component follows the law of the sines, either one, at any particular time can be represented by an equation of the following form:

$$y = A \cos 2\pi \frac{t}{T}$$ in which

y=ordinate of curve referred to an axis midway between high and low water.

t=time in hours from place of maximum ordinate

T=duration of one tide

A=Coefficient.

Taking two equations of the above form and combining them we get for the equation of the complex curve

$$y = A \cos (2\pi \frac{t}{T} - E) + A' \cos 2\pi \frac{t}{T}$$ in which

y=ordinate of complex curve

t, T, and A=same quantities as above.

T′ and A′=quantities for the semi-diurnal curve similar to T and A for the diurnal curve.

E=distance between the place of the maximum ordinate of the diurnal component and the maximum ordinate of preceding semi-diurnal component.

For a particular case I deduced the values of the coefficients and of E in the equation and then calculated the resultant curve. This is shown on Plate I, and just below it the corresponding observed curve. The agreement is all that could be expected from such a rough determination.

It is evident that this decomposition explains all or nearly all the

* Omitted.

circumstances of the rise and fall of the tide; as, for instance, when the moon's declination is large, the sudden rise to high water, the subsequent rapid fall for a short time followed by a more slow decline, stand or small rise, and then rapid fall to low water. These remarks suppose wind effects small.

The value of E in the above equation determines largely the character of the complex curve, as do also the relative magnitudes of the coefficients A and A′. With a correct value of E, and proper changes in value of A and A′ any observed form of curve can be produced. I have not had time nor sufficient data to determine the law of the changes in these coefficients.

These methods of analysis are not new. The graphical method has been used in the office of the United States Coast Survey for many years. Again, Professor Bache, formerly superintendent of that service, gives an analytical expression similar in form to the one given above, for the tides at Cat Island, Gulf of Mexico (report of 1866). His expression is

$$C \cos 2t + D \cos (t - E) - y = O, \text{ in which}$$

t = time in hours from place of maximum ordinate of semi-diurnal curve. C, D, E and y are similar quantities to A′, A, E, and y in the equation given above.

It may be of interest to state that at Cat Island E is about nine hours, while for Galveston Bar it is about five hours.

On Plate II* is given a similar graphical analysis for the tide at the Government Wharf gauge. A comparison of the two will show the changes undergone in passing from the bar to the Government Wharf, a distance of about $6\frac{1}{4}$ miles.

Before closing this report I wish to call attention to an error in the last table (VIII) in the published copies of my report of last year. The signs of all the quantities in the table should be *plus* except that of the top number (0.32) in the column headed G. D. T., which is correctly minus.

Very respectfully, your obedient servant,

WM. C. LANGFITT,
First Lieut., Corps of Engineers.

Maj. CHAS. J. ALLEN,
Corps of Engineers, U. S. A.

REPORT OF MR. H. C. RIPLEY, ASSISTANT ENGINEER.

UNITED STATES ENGINEER OFFICE,
Galveston, Tex., July 1, 1890.

MAJOR: I have the honor to make the following report relating to the improvement of Galveston Harbor, Texas, for the fiscal year ending June 30, 1890:

JETTY CONSTRUCTION.

At the end of the last fiscal year the work under contract with A. M. Shannon & Co. for the construction of the jetty was less than half completed, their contract having been extended at their request to December 31, 1889. At that date the work was still unfinished, and the contract was again extended to June 30, 1890. In anticipation that the work would not be finished by the 30th of June the contractors ap-

* Omitted.

plied for and received a further extension of time to the 30th of August, 1890. The work was therefore continued under the same contract as for the previous year, but by the terms of this contract the expense of inspection and measurement of material, amounting to $4,540.33, has been deducted from payments made to the contractors since the 30th of June, 1889.

CONDITION AND PROGRESS OF THE WORK.

The condition of the work at the end of the year and the progress made were as follows:

The railroad trestle has been extended from station 173+75′ to station 196+28′, a distance of 2,253 feet.

The rock-work has been completed from station 9+60′ to station 70+70′, and from station 71+15′ to station 95+64′ on the shore branch, a distance of 8,559 feet from station 150 to station 180 on the Gulf extension, a distance of 3,000 feet, making the total extension of the completed work 11,559 feet. The rock-work is incomplete from station 180 to station 192, a distance of 1,200 feet.

That portion of the work designated as incomplete has progressed as follows:

The riprap work has been built up to full height ready for the placing of blocks to station 181, a length of 100 feet and the riprap work is incomplete from station 181 to 192, a length of 1,100 feet.

Blocks have been deposited on the sides of the work in quantity sufficient to nearly complete the covering from station 180 to station 180+50′, a length of 50 feet and in quantity not nearly sufficient to complete the covering from station 180+50′ to station 191, a length of 1,050 feet.

REPAIRS TO OLD WORK.

At the close of the last fiscal year the repairs to the old work necessitated by settlement along the axis where clay had been used and by some sliding down of blocks on the sides were incomplete.

During the year further settlement along the axis and some sliding down on the sides have occurred. The sliding down of blocks, however, has been confined to the north side. The repairs, therefore, have been prosecuted from time to time as were required. There have been expended in these repairs 2,728 cubic yards of riprap and 957 cubic yards of blocks.

AMOUNT OF STONE USED.

The following table (No. 1) shows the number of cars and amount of each kind of stone placed during each month throughout the year.

Table No. 1, *showing kind and amount of stone used.*

Month.	Cars.	Riprap.	Cars.	Blocks.	Total cars.
		Cub. Yds.		*Cub. Yds.*	
July	175	2,807.11	152	1,381.15	327
August	288	4,624.70	211	1,891.93	499
September	187	3,578.06	201	1,791.56	388
October	177	3,116.56	124	1,036.25	301
November	197	3,552.02	171	1,386.32	368
December	240	3,884.73	216	1,585.17	456
January	248	3,980.83	168	1,218.55	416
February	391	6,245.15	297	2,027.95	688
March	514	7,507.31	316	2,044.54	830
April	575	8,071.44	333	2,203.45	908
May	432	6,057.74	248	1,662.04	680
June	356	4,780.81	183	1,120.06	539
Total	3,780	58,206.46	2,620	19,258.97	6,400

It will thus be seen that the total number of cars of stone placed during the year was 6,400. Of these 3,780 cars contained 58,206 cubic yards of riprap and 2,620 cars contained 19,259 cubic yards of blocks, making a total of 77,465 cubic yards of stone placed.

The average amount of stone per car was for riprap $15\frac{2}{5}$ cubic yards and for block $7\frac{1}{3}$ cubic yards. The average value of a car of stone was for riprap $32.03 and for blocks $31.61.

METHOD OF CONSTRUCTION.

The method of construction has been similar to that of last year, but a slight modification in the order of placing the stone has resulted in a smaller cross-section and consequent reduction in cost.

Instead of depositing the whole amount of riprap and bringing it to full height before the blocks were deposited, as was done last year, the riprap was only brought up to the water surface and then blocks were deposited on the sides, bringing them to a height somewhat above that of the riprap.

Additional riprap was then deposited and brought to full height, the presence of the blocks on the side preventing any of the riprap from rolling down on the sides and hence any increase in the width of the core was impossible.

Additional blocks were then deposited and placed with the derrick as before.

This order of placing the stone extends from station 165 onward and has resulted in a reduction in cost of not less than $10 per linear foot.

COST OF THE WORK.

The following table (No. 2) shows the quantities of stone used and the cost of the same in the work and other items of expense, not including office and inspection expenses. Previous expenditures are also included in the table so that the grand total gives the total cost of the work to date under the project of 1886.

Table No. 2, showing quantities of stone used and cost of the same in the work, and other items of expense, not including office and inspection expenses.

0 TO 79+64′ (7964′).

Items.	Cubic yards.	Cost.	Cubic yards.	Cost.
			Per foot.	*Per foot.*
Riprap	5,179.30	$10,772.94	.65	$1.35
Blocks	2 622.79	11,278.00	.33	1.41
Railways	.....	.....	.....	.....
Extras	.....	47.92	.....	.01
Total for year	7,802.09	22,098.86	.98	2.77
Previous expenditures	32 278.15	113,582.22	4.05	14.26
Grand total	40,080.24	135,681.08	5.03	17.04

79+64′ TO 84+64′ (500′).

Riprap	332.53	$691.66	.67	$1.38
Blocks	797.28	3,428.30	1.59	6.86
Railway	.....	34.90	.....	.07
Extras	.....	1.99	.....	.00
Total for year	1,129.81	4,156.85	2.26	8.31
Previous expenditures	4,869.00	12,029.99	9.74	24.06
Grand total	5,998.81	16,186.84	12.00	32.37

Table No. 2, showing quantities of stone used and cost of the same, etc.—Continued.

84+64′ TO 95+64′ (1100′).

Items.	Cubic yards.	Cost.	Cubic yards.	Cost.
			Per foot.	*Per foot.*
Riprap	537.65	$1,118.31	.49	$1.02
Blocks	1,611.86	6,931.00	1.47	6.30
Railway	.....	45.77	.....	.04
Extras	.....	49.84	.....	.05
Total for year	2,149.51	8,144.92	1.95	7.40
Previous expenditures	7,445.00	20,776.13	6.77	18.89
Grand total	9,594.51	28,921.05	8.72	26.30

95+64′ TO 107+64′ (1200′).

Riprap	710.95	$1,478.78	.59	$1.23
Blocks	150.53	647.28	.13	.54
Railway	.....	51.64	.....	.04
Extras	.....	4.78	.....	.....
Total for year	861.48	2,182.48	.72	1.82
Previous expenditures	11,855.00	37,314.64	9.88	31.10
Grand total	12,716.48	39,497.12	10.60	32.92

107+64′ TO 138+64′ (3100′).

Riprap	1,894.31	$3,940.16	.61	$1.27
Blocks	730.78	3,142.35	.24	1.01
Railway	.....	298.32	.....	.10
Extras	.....	20.09	.....	.01
Total for year	2,625.09	7,400.92	.85	2.39
Previous expenditures	69,555.00	208,554.70	22.44	67.28
Grand total	72,180.09	215,955.62	23.28	69.66

138+64′ TO 144+12′ (548′).

Riprap	122.78	$255.38	.22	$0.47
Blocks	75.84	326.11	.14	.60
Railway	.....	35.95	.....	.06
Extras	.....	3.69	.....	.01
Total for year	198.62	621.13	.36	1.13
Previous expenditures	12,369.00	38,446.75	22.57	70.16
Grand total	12,567.62	39,067.88	22.93	71.29

144+12′ TO 150 (588′).

Riprap	413.87	$860.85	.70	$1.46
Blocks	13.81	59.38	.02	.10
Railway	.....	.....	.....	.....
Extras	.....	52.39	.....	.09
Total for year	427.68	972.62	.73	1.66
Previous expenditures	12,313.00	33,306.03	20.94	56.64
Grand total	12,740.68	34,278.65	21.67	58.30

Table No. 2, showing quantities of stone used and cost of the same, etc.—Continued.

150 TO 160 (1000′).

Items.	Cubic yards.	Cost.	Cubic yards.	Cost.
			Per foot.	*Per foot.*
Riprap	12,416.29	$25,825.88	12.42	$25.83
Blocks	4,598.02	19,771.49	4.60	19.77
Railway	.....	.....	.....	.....
Extras	.....	3.98	.....	.....
Total for year	17,014.31	45,601.35	17.01	45.60
Previous expenditures	2,609.00	8,934.40	2.61	8.93
Grand total	19,623.31	54,535.75	19.62	54.54

160 TO 170 (1000′).

Riprap	15,415.57	$32,064.39	15.42	$32.06
Blocks	4,624.20	18,336.06	4.26	18.34
Railways	.....	.....	.....	.....
Extras	.....	21.21	.....	.02
Total for year	19,679.77	50,421.66	19.68	50.42
Previous expenditures	.....	3,282.23	.....	3.28
Grand total	19,679.77	53,703.89	19.68	53.70

170 TO 180 (1000′).

Riprap	9,720.28	$20,218.18	9.72	$20.22
Blocks	3,442.39	14,802.28	3.44	14.80
Railways	.....	2,031.25	.....	2.03
Extras	.....	6.98	.....	.01
Total for year	13,162.67	37,058.69	13.16	37.06
Previous expenditures	.....	1,230.84	.....	1.23
Grand total	13,162.67	38,289.53	13.16	38.29

180 TO 190 (1000′) INCOMPLETE.

Riprap	9,569.20	$19,903.94	9.57	$19.90
Blocks	885.72	3,808.60	.89	3.81
Railway	.....	3,265.56	.....	3.27
Extras	.....	30.98	.....	.03
Total for year	10,454.92	27,009.08	10.45	27.01
Previous expenditures	.....	.....	.....	.....
Grand total	10,454.92	27,009.08	10.45	27.01

190 TO 196+28′ (628′) INCOMPLETE.

Riprap	1895.41	$3,938.29	3.01	$6.27
Blocks	65,72	282.60	.10	.45
Railway	.....	2,168.19	.....	3.45
Extras	.....	28.48	.....	05
Total for year	1959·13	6,417.56	3.12	10.22
Previous expenditures	.....	.....	.....	.....
Grand total	1959.13	6,417.56	3.12	10.22

It will thus be seen that the average cost per foot of jetty has been as follows:

From station 0 to station 79+64′, $17.04; from station 79+64′ to station 84+64′, $32.37; from station 84+64′ to station 95+64′, $26.30; from station 95+64′ to station 107+64′, $32.92; from station 107+64′ to station 138+64′, $69.66; from station 138+64′ to station 144+12′, $71.29; from station 144+12′ to station 150, $58.30; from station 150 to station 160, $54.54; from station 160 to station 170, $53.70; from station 170 to station 180, $38.29; from station 180 to station 190 (unfinished), $27.01; and from station 190 to station 196+28′ (unfinished), $10.22.

The cost of the repairs to the old work for the year from station 95+64′ to station 144+12′ has been at the rate of $2 per linear foot, which is about $3\frac{1}{3}$ per cent. of the total cost to date.

The cost of the repairs to the track over the same length for the year has been at the rate of 8 cents per foot.

SOURCES OF SUPPLY.

The stone used during the year has been brought by rail from three places, as follows:

Riverside, on the line of the International and Great Northern Railway, 130 miles from Galveston; Quarry Station and Heber Stone Quarry, on the line of the Gulf, Colorado and Santa Fé Railway, the former 143 miles and the latter 153 miles from Galveston. The supply, however, has come mainly from the Heber Stone Quarry, as only about 4 per cent. has come from Riverside and 6 per cent. from Quarry Station of the whole amount received.

SURVEYS.

At the close of the last fiscal year a portion of the field notes of the annual survey had not been plotted, and hence the changes in the hydrography of the inner harbor and in the shore lines was not given in my last annual report. These omissions were supplied in my report of November 16, 1889.

During December and January last a survey was made, embracing an area of about 9 square miles of hydrography, extending from the 30-foot depth in Bolivar Channel to the same depth in the Gulf and for a width sufficient to cover that portion of the outer bar probably liable to change; also the shore line, extending from the foot of Tremont street along the Gulf shore to the jetty, a distance of about 4 miles. The results of this survey were given in my report of February 8, 1890.

During April, May, and June a complete survey of the harbor and entrance was made. The hydrography embraces an area of about 30 square miles, and includes the outer bar to a depth of 30 feet in the Gulf and the inner harbor to the limit of the 12-foot depth. The soundings were taken between April 17 and May 31.

The topography embraces the mean high and mean low water shorelines of the east end of Galveston Island, the north shore of Pelican Island and Spit, and the west end of Bolivar Peninsula, an aggregate length of shore of about 21 miles.

The shore-line locations were executed in June. For want of time only a portion of the notes have been plotted. Embraced in these are the shore-line locations and that portion of the hydrographic work west of the 30-foot depth in Bolivar Channel and north of Pelican Island.

Comparing the results obtained, however, with the survey of one year ago, we find that the Galveston Channel has suffered only slight changes, and these are favorable to an increased width and depth. At its shoalest point the depth has apparently increased from 21 to 22 feet, although the shoal area is not covered with soundings as well as could be desired, and the width between the 20-foot contours at the narrowest part of the channel has increased from 300 to 360 feet. The area embraced in the 30-foot contour near its junction with Bolivar Channel has considerably enlarged, increasing its length from 1,340 feet to 1,940 feet, and its width from 200 feet to 500 feet.

In Bolivar Channel the changes have been more extensive. West of its junction with Galveston Channel the width of the 30-foot area has somewhat diminished. The contour on the north side of the channel has moved south about 200 feet and on the south side of the channel this contour has fluctuated somewhat but on the whole has maintained about the same position as last year. The width, therefore, between these contours has diminished about 200 feet. There has also been some southerly movement of the 18-foot and 24-foot contours, but less in amount. East of its junction with Galveston Channel there has been some enlargement of its deep-water areas. The 30-foot depth has advanced gulfward about 1,000 feet, the 24-foot depth about 200 feet, the 20-foot depth about 350 feet, and the 18-foot depth about 200 feet.

The 24-foot area also has been enlarged mainly on the north side near its outer end. Upon the crest of the outer bar there has been a pretty general shoaling of from one-fourth to one-half of a foot. The depth in the jetty channel however still remains at $13\frac{1}{4}$ feet, but the width of the channel between the 13-foot contours has considerably diminished and the distance from the 14-foot depth inside to the 14-foot depth outside has increased from 2,000 feet to 2,600 feet. The bar has also advanced very perceptibly gulfward.

On the Gulf side of the bar from the jetty northward the average and maximum advance is as follows:

For the 12-foot contour the average is about 300 feet and the maximum 470 feet; for the 18-foot contour the average is about 200 feet and the maximum 540 feet; for the 20-foot contour the average is about 400 feet and the maximum 740 feet; for the 24-foot contour the average is about 600 feet and the maximum 1,100 feet, and for the 30-foot contour the average is about 200 feet and the maximum 340 feet.

The long shoal north of Bolivar Channel and separating it from the swash or shore channel has increased its height somewhat and has been extended eastward, the 8-foot contours having advanced about 1,000 feet while its western end has been cut away, the 12-foot and 8-foot contours having receded about 650 feet. For a length of about 6,000 feet immediately south of Bolivar Point this shoal has moved bodily towards Bolivar Channel, as has also the swash channel for nearly the same distance. The amount of this movement is about 200 feet. The depth in the swash channel has suffered no further increase since last year.

The shoal immediately north of the jetty has continued its gulfward advance. The amount of this advance is for the 6-foot contour about 600 feet, for the 8-foot contour about 350 feet, and for the 12-foot contour about 800 feet.

The shallow trench along the north edge of the old mattress jetty near its outer end which had developed last year has become entirely obliterated, and the indications are that the probable effect of the further building up of the south jetty will be the obliteration of the jetty channel itself. The shoal immediately south of the jetty has ap-

parently ceased its westward movement and has commenced extending itself eastward. An island has been formed at its western end which at average tide is about 1,000 feet long and at its highest point about 4 feet above the water surface. The shore of Fort Point and this island are approaching each other and will probably join in the near future. The amount of the eastward advance of this shoal is for the 3-foot contour about 1,500 feet, and for the 8-foot contour about 640 feet. The little bay between Fort Point Light-House and this new island has shoaled from 1 to 2 feet. The deep trench on the south side of and along the outer portion of the old mattress jetty has diminished somewhat in extent and depth, although the reduction in these respects is much less than for the previous year. It will be noted that the deepest water is no longer close to the base of the work, but is at a distance of from 140 feet to 240 feet therefrom.

These changes indicate a further increase in the outward resultant of force and may be reasonably attributed to the further extension of the jetty work. The erosion at the west end of the shoal north of Bolivar Channel is an indication of a relative weakening of the flood component of force at that point. This point being so remote from the artificial works and being to the rear of them, and the result being exactly the opposite of what should have been expected, if we consider only the direct action of the jetty itself, an explanation must be sought in a change in the character of the tidal currents as a result of these artificial works. An investigation in water slopes and other tidal phenomena, made in February last, and which was submitted to you on the 14th of that month in a paper entitled "Tidal Phenomena of Galveston Harbor," brought out some facts which have so direct a bearing upon this subject and furnish so reasonable an explanation for this change that I beg to include that paper as a part of my annual report. That investigation brought out the fact that any obstruction to the tidal flow to and from the bay would increase the ebb slopes and reduce the flood slopes, and the cutting off of the west end of the north shoal would seem to indicate that the work done upon the jetty has already had an appreciable effect upon the character of the tidal currents in the harbor in the direction indicated by theory. The gulfward advance of the bar is not an unexpected result of the extension of the jetty, and I think we may expect a continuation of this advance until the equilibrium has been restored or the supply of sand exhausted.

It has been seen that the greatest shoaling in the deep trench along the south side of the old mattress jetty near its outer end has been near the base of the work. This indicates that the sand has accumulated on the north side of the jetty and some has passed over the crest and settled next to the base. This is another indication of the loss of force in the littoral current at that point, and also shows from which direction the sand is moving that has caused the shoaling in the trench itself. To be sure this sand may have been brought out of the harbor by the ebb currents, but the fact to be emphasized is that this material did not come from the west.

PROFILE OF SOUTH JETTY.

The profile of the old mattress portion of the south jetty compared with that of one year ago shows no indication of any further subsidence of that work. Indeed the result of the more numerous soundings taken this year over last year give a somewhat greater average height to that work than the average of last year. Commencing at the outer end of

the average depth on the axis for the first 5,000 feet is 8.71 feet, for the second 5,000 feet is 7.88 feet, and for the next 2,400 feet it is 8.71 feet. This shows a subsidence of the outer 5,000 feet of but .45 of a foot in the last two years. No comparison for the balance of the distance can be made from the fact that for the last two years most of this portion has been covered with sand. It is probable therefore that no subsidence has occurred.

EXAMINATION OF NEW WORK.

Bi-monthly soundings of the bottom adjacent to the new work have been taken from station 80 onward throughout the year at intervals of 200 feet, in order to detect any changes which might occur that would endanger the foundation of the work. These soundings have been plotted and have accompanied my monthly reports showing a comparison with those previously taken. The annual cross-sections and profile of the work for comparison with those taken last June have not been taken, however.

It was found that an increase of the engineering force would be necessary to complete them in time for the annual report, and also in consideration of the fact that the contract will be completed two months hence, it was therefore decided to defer the sections until a later date. When these are taken the results will be made the subject of a supplemental report.

Very respectfully, your obedient servant,

H. C. RIPLEY,
United States Assistant Engineer.

Maj. CHAS. J. ALLEN,
Corps of Engineers, U. S. A.

REPORT OF MR. GERALD BAGNALL, ASSISTANT ENGINEER.

GALVESTON, TEX., *July* 4, 1890.

SIR: I have the honor to make the following report on the precise leveling operations which are about to be suspended. It is impossible, however, to give more than a short outline of what has been done, as the field notes have not yet been worked up.

One leveling party was organized on March 20, and commenced running a line up Bolivar Peninsula, starting from the light-house. The party consisted of Mr. A. L. Johnson, observer in charge; Mr. T. P. Griffith, recorder; and Messrs. G. W. Allen and Houston Jones, rodmen; and three attendants and axmen. It was proposed to run a line around Galveston Bay, commencing at Bolivar Point, to be afterwards connected with the different tide-gauges in the bay. This plan, however, as the work progressed and the difficulty of leveling over marsh land, and of going around the flooded country adjacent to the Trinity, San Jacinto, and other streams became more apparent, was abandoned in favor of one which contemplated the starting of two separate lines from Galveston; one across the gorge to connect with the Gorge, Bar, Hannah's Reef, and Rollover gauges; the other to cross West Bay and connect with the two Red Fish and Morgan's Point gauges. This latter plan, however, could not be adopted until the practicability of taking long shots across water on platforms had been tested.

As no information on this subject could be found in reports of leveling

done heretofore it was decided to connect the bench-mark at Elm Grove with the Hannah's Reef gauge, as an experiment before proceeding further. Platforms were accordingly constructed and reciprocal levels taken across two spans one-fourth of a mile long, two spans one-half of a mile long, with check lines across one span of one-half of a mile and one of one mile. Although but one series was taken in each of these check lines the greatest discrepancy found was only four millimeters, from which it may be safely assumed that the results obtained by the levels across the four spans is fully up to the standard of accuracy required on shore work.

The platforms consisted of three piles, well braced, for the instrument to stand on, surrounded by sheet-piling to protect them from the force of the waves and were 6 feet high above water. The practicability of taking shots of at least a mile caused the adoption of the plan which embraced crossing the gorge, and work was commenced there immediately on the completion of the Elm Grove work. Platforms were erected off Pelican Spit, on Bird Island Shoal, and near the Gorge gauge. These, as at Elm Grove, consisted of a triangle of sheet-piling with three piles in the center, but they had to be of much stronger construction and with the exception of the one on Bird Island Shoal had a stone apron around them to prevent scour. The latter was carried away, the current having scoured out around it before stone could be placed.

It was decided not to rebuild the platform on Bird Island Shoal, but to run from Quarantine to the gange platform by Pelican, and also by Fort Point light-house, and thence to Bolivar Peninsula, also by two different routes, thus getting a complete check across the Gorge. From quarantine to Gorge gauge platform, going by Pelican, embraces one span of 4,500 feet, and one of 6,200 feet; going by Fort Point light-house, one span of 5,900 feet, these lines checked to within 1.8 millimeters. The two lines from Gorge gauge platform to Bolivar also checked well.

One platform has been constructed on the bar at a distance of 1 mile from shore. It resembles the others in design, but is stronger and has a wave breaker of piling 20 feet from the sheet-piling on the exposed sides.

On the completion of this platform it was decided to suspend work on account of want of sufficient funds to complete it.

The unprecedented weather of April, May, and a part of June, retarded the work very seriously. During that period only about 10 per cent. of the time was suitable for leveling on platforms, and to this cause must be attributed the failure to complete the work with the money allotted.

During the progress of the work current measurements were taken when possible, especially with regard to the flow of water through Bolivar Beach Channel. The observations taken show a strong current both at ebb and flood tide through that channel.

A continuous line of levels has now been finished to Hannah's Reef gauge, connecting it with the Gorge gauge and the Hendley building, and one of the three platforms required to connect the bar gauge completed.

It is to be regretted that the results obtained can not be given in this report. The work, which under the most favorable circumstances would require the greatest care, was rendered very much more difficult by the physical condition of the locality and by the unfavorable weather.

Before concluding I wish to acknowledge the services of Mr. A. L.

Johnson, assistant engineer, to whose assistance the success of the work is largely due. Thanks are also due the other members of the party for their faithful services.

Very respectfully, your obedient servant,

GERALD BAGNALL.
Assistant Engineer.

Major CHAS. J. ALLEN,
Corps of Engineers, U. S. A.

COMMERCIAL STATISTICS OF GALVESTON HARBOR, TEXAS, FOR FISCAL YEAR ENDING JUNE 30, 1890.

[Compiled from statements made by Julius Runge, esq., president of the Cotton Exchange, and N. W. Cuney, esq., collector of the port of Galveston, Texas.]

Steam-vessels entered	302	
Sailing vessels entered	145	
Total		447
Steam-vessels cleared	304	
Sailing vessels cleared	118	
Total		422
Total tonnage of vessels entered, tons	501,695	
Total tonnage of vessels cleared, tons	492,677	
Total tonnage		994,372

Amount and value of freight shipped.

Articles.	Quantity.	Tons.	Value, approximate.	Freight charges, approximate.
Cotton ..... bales..	853,000	223,486	$46,900,000	$3,522,625
Wool ..... bags..	68,800	6,883	2,712,000	82,594
Cottonseed-cake ..... do...	921,000	69,095	1,313,000	414,571
Cottonseed-oil ..... barrels..	50,649	10,045	633,115	50,649
Total	.....	309,509	51,558,115	4,070,439

In addition to the above there was a large quantity of general merchandise shipped, the amount of which could not be determined.

Increase of tonnage over last year, 174,008 tons.

Comparative statement of commercial statistics of the port of Galveston for the fiscal years ending June 30, 1887, 1888, 1889, *and* 1890.

	1887.	1888.	1889.	1890.
Steam-vessels entered	250	259	250	302
Sailing vessels entered	296	231	131	145
Steam-vessels cleared	256	249	244	304
Sailing vessels cleared	238	193	124	118
Tonnage of vessels entered	446,711	447,144	416,468	501,695
Tonnage of vessels cleared	444,801	432,588	403,896	492,677
Total tonnage	891,512	879,732	820,364	994,372
Amount of revenue collected	$172,894	$234,908	$153,040	$131,613

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 455.

BILLS FOR THE SPECIFIC ACTION OF CONGRESS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Attorney-General recommending the payment of certain bills amounting to $8,965.15 on file in the Department of Justice, which do not fall within any appropriation under its control.

AUGUST 6, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
August 5, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Attorney-General of the 1st instant, in relation to certain bills amounting to $8,965.15, together with exhibits therefor.

Respectfully yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., August 1, 1890.

SIR: You are requested to state to the Speaker of the House of Representatives that the following bills, amounting to $8,965.15, on file in the Department of Justice, do not fall within any appropriation under its control.

They can not be audited and certified for payment by the accounting officers of the Treasury.

Account of District-Attorney White, Washington (Bishop Nesqually *vs.* John Gibbons), Exhibit A (Ex. Doc. 352, 51st Congress)	$3,000.00
Account of A. C. King, West. Dist. Arkansas, defending deputy marshal (Exhibit 17, Ex. Doc. 121, 51st Congress)	1,000.00
Account of J. P. Gilbreath and R. E. Pennell, deputy marshals, West. Dist. North Carolina, expenses of their prosecution for discharge of official duty (Exhibit 7, Ex. Doc. 121, 51st Congress)	75.00
Account of C. C. Goddard, South. Dist. Ohio, habeas corpus case (Exhibit 11, Ex. Doc. 121, 51st Congress)	25.00
Account of C. P. Connelly, Montana, Oct. term, 1889, services against Charles Miller (Exhibit F, Ex. Doc. 121, 51st Cong., 2d sess.)	50.00
Account of Philip Tillinghast, Idaho, April term, 1889, defending Titus Thompson, Indian (Exhibit S, Ex. Doc. 121, 51st Congress)	250.00
Account of S. C. Ward, in matter of Mission Indians, California (account herewith submitted)	2,000.00
Account of M. H. Williams, Arizona, Nov. term, 1888, defending Apache Indians, 1889 (Exhibit N, Ex. Doc. 332, 51st Congress)	1,000.00

Account of C. L. Batcheller, Nor. Dist. California, services Mission Indians (Exhibit P, Ex. Doc. 332, 51st Congress)		$594.95
Account of Will Haight, Nor. Dist. Georgia, Mch. term, 1889, services during illness of district attorney (Exhibit B, Ex. Doc. 332, 51st Cong.)		200.00
Account of George F. Moore, Nor. Dist. Alabama, Apl. term, 1889, services in absence of district attorney (Exhibit G, Ex. Doc. 332, 51st Cong.)		300.00
Account of Newton McCoy, before receiver of land office, Oregon (Exhibit N, Ex. Doc. 332, 51st Cong.)		560.00
Account of T. C. Lyon, special counsel, cotton claims.		
1872	$100.00	
1873	100.00	
1874	210.20	
(Exhibit H, Ex. Doc. 332. 51st Cong.)		410.20
Account of Foreman and Lewis, West Virginia, defending Union soldier, F. Isaac Thompson; letter to Secretary of the Treasury, Jan. 22, 1890..		500.00

They can not be paid as fees of district attorneys or as compensation of assistant attorneys, being for services of counsel appointed by the court in certain cases of emergency, or were necessary services in cases in which the United States had a secondary interest.

They are presented to Congress for its specific action at the request of the claimants, and their payment is respectfully recommended.

Very respectfully,

W. H. H. MILLER,
Attorney-General.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
Washington, June 6, 1890.

SIR: I have the honor to transmit herewith for such action as may be deemed proper copy of a communication of the 4th instant, from the Commissioner of Indian Affairs, and its inclosures, relative to the claim of Shirley C. Ward, esq., for legal services rendered the Government as special United States attorney for the Mission Indians of California.

I have the honor to be, very respectfully,

J. W. NOBLE,
Secretary.

The ATTORNEY-GENERAL.

UNITED STATES INDIAN SERVICE, MISSION CONSOLIDATED AGENCY,
Colton, May 3, 1890.

SIR: I have the honor to submit the inclosed bill of Shirley C. Ward, esq., for legal services rendered the Government as special United States attorney for the Mission of California, from May 5, 1888, to April 1, 1890.

Also a copy of a letter from Mr. Ward to Attorney-General Miller, the original of which letter, accompanied by a copy of the inclosed bill, has been forwarded by Mr. Ward to the honorable Attorney-General, with the request that the bill be approved by the Department of Justice, and that Congressional appropriation to pay it be obtained as soon as possible.

The bill has been approved both by myself and my predecessor, Col. J. W. Preston, and letter of approval sent to the Attorney-General.

I now submit the same to you for your approval. If approved, I will be pleased if you will use your influence to aid in obtaining a Congressional appropriation for its payment at this session of Congress.

Very respectfully yours,

HORATIO N. RUST,
United States Indian Agent.

Hon. THOMAS J. MORGAN,
Commissioner of Indian Affairs.

United States of America to Shirley C. Ward, special counsel for the Mission Indians of California, Dr.

To service rendered as special United States attorney for the Missions in California between May 5, 1888, and April 1, 1890, under appointment dated January 14, 1886 (see letter N. T. N. R. 218, Department of Justice), as follows, viz:

Services in case of John Morongo *et al. vs.* John G. North and Richard Gird, in the circuit court of the United States for the southern district of California. Suit in equity to quiet and establish the Indians' title to their lands in the Porero Reservation at and near Benning, in San Bernardino County, Cal., and also to stay proceedings in ejectment suit of North and Gird *vs.* J. W. Preston *et al.*, transferred from State to Federal court under instructions from Indian Department. Indian title based upon occupancy and possession under Mexican laws at the time of the transfer of sovereignty, and also based upon executive orders setting aside such lands as Indian reservation. Defendants title based upon Congressional grant to the Southern Pacific Railroad Company and upon patent from the State of California. Testimony still being taken, and case not yet submitted	$1,500
Services in contest between the Indians and John J. Walsh, involving title to lands in sections 24 and 25, in T. 10 S. 3 E. and in section 10, T. 10 S. R. 4 E., S. B. M. in San Diego County, Cal. Testimony taken at Julien, San Diego County, and decided in favor of the Indians by the register and receiver of the local land office, and by the Commissioner of the General Land Office, and now on appeal to the Secretary of the Interior	200
Services in the matter of investigating property rights of the Indians in the College Rancho in Santa Barbara County, and in negotiation with the owners of such rancho, looking to any adjustment of the rights of the Indians on such rancho, by setting off to them a desirable and definite tract of land and furnishing them with houses and ample water for irrigation (negotiations still pending, and not yet consummated)	250
Services in the matter of collecting data in the way of causing surveys to be made, gathering evidence and preparation for bringing of fourteen suits to quiet and establish the Indian title to fourteen tracts of land on Mexican grants, and in negotiating settlement with the owners of such tracts of lands, which tracts are as follows, viz: On the Rancho San Jose del Valle, in San Diego County, Agua Caliente, San Jose, and Puerto de la Cruz; on the Rancho Valle de San José, La Puerto and Matajuai; on the Pauma Ranch, San Diego County, Lower Potrero, Upper Potrero, Paunis Village, Francisco Maji, Jose Pobango, and Juan Sawyer; on the Rancho Santa Ysabel, San Diego County, Carriseta, Manuel's, Santa Ysabel Village	750
Services rendered from time to time in the way of general legal advice to and counsel with the Indians and Indian Agent	300
Total	3,000

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 456.

ENROLLMENT OF CHEROKEE FREEDMEN, DELAWARES, AND SHAWNEES.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

The estimates of the Secretary of the Interior for an additional sum of $10,000, *to carry into effect the provisions of the act of March* 2, 1889, *for the "enrollment of the Cherokee Freedmen, Delawares, and Shawnees."*

AUGUST 9, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT, *August* 7, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate by the Secretary of the Interior, under date of the 5th instant, for an additional sum of $10,000, to carry into effect the provisions of the act of March 2, 1889 (25 Stat., p. 994), for the "enrollment of Cherokee Freedmen, Delawares, and Shawnees."

Respectfully yours,

P. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, August 5, 1890.

SIR: I have the honor to transmit herewith a copy of a communication of the 2d instant from the Commissioner of Indian Affairs, and accompanying estimate of the additional appropriation deemed necessary to enable John W. Wallace, special commissioner, to complete the work contemplated by the provision of the act of Congress, approved March 2, 1889 (25 Stat., 994).

The estimate as submitted by Mr. Wallace is as follows:

Shortage to July 24, 1890	$847.50
To meet increased enumeration	5,000.00
Expenses of disbursement	1,500.00
To cover incidental and emergency expenses	2,652.50
Total	$10,000.00

The Commissioner, in reporting upon this estimate, says he knows no objection to the item of $5,000 to cover the increased enumeration and to the item of $847.50 to cover the shortage of the present appropriation, but that he is not sufficiently informed as to express an intelligent opinion upon the other items.

In regard to this estimate, I desire to say that $4,000 of the $5,000 appropriated by the act of March 2, 1889, to enable the Secretary of the Interior to ascertain who are entitled to share in the appropriation of $75,000 made by act of Congress approved October 19, 1888, have been placed to the credit of Mr. Wallace; that the unsettled claims due Mr. Wallace amount to $1,847.50, as shown by the accompanying statement, leaving a shortage of $847.50.

Mr. Wallace in his work was antagonized by the Cherokees and was obliged to examine a large number of people and their witnesses, in order to ascertain who were entitled to share in the appropriation. This consumed much time and money, and therefore additional funds are required as stated.

The item of $5,000, or so much thereof as is necessary, is required to pay those enrolled of all classes in excess of the number on which the estimate of $75,000, in act of 1888, was based, making the sum to be disbursed per capita $80,000, or so much thereof as may be necessary, instead of $75,000 as appropriated by act of 1888.

To disburse the sum of $80,000 the item of $1,500 is required.

The item of $2,652.50 is required for the purpose of paying any additional persons found entitled to enrollment their per capita shares, and for such other incidental and necessary expenses that may arise in completing the work.

This appropriation being necessary to complete the work required by the act of March 2, 1889, I respectfully request that it receive early and favorable action of your committee.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
Washington, August 2, 1880.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st ultimo, requesting this office to prepare and submit to the Department an estimate of the additional appropriation deemed necessary to enable Mr. John W. Wallace to complete the work contemplated in the provision of the act of Congress, approved March 2, 1889, (25 Stat., 994), in which the sum of $5,000 was appropriated to enable the Secretary of the Interior to ascertain who are entitled to share in the appropriation of $75,000, made by the act of Congress, approved October 19, 1888, and also to cover the amount of the expense already incurred in excess of former appropriation.

With regard to the work performed by Mr. Wallace, I would respectfully state that, in accordance with the direction of the Department, this office detailed a clerk who was engaged for about three weeks in revising the report of Mr. Wallace, and another clerk was detailed for about the same period to assist in the preparation and examination of his statement of account. It is understood that Mr. Wallace is now on duty in this city under his appointment, at a compensation of $10 per

day, but I am not advised with regard to the details of the particular work upon which he is engaged at present.

Mr. Wallace has prepared and submitted to this office an estimate of the additional appropriation deemed by him to be necessary for the adjustment of present indebtedness, and the completion of the work.

It will be seen that he itemizes the amounts as follows:

Shortage to July 24, 1890	$847.50
To meet increased enumeration	5,000.00
Expenses of disbursement	1,500.00
To cover incidental and emergency expenses	2,652.50
Total	10,000.00

I know of no objection to the item of $5,000 to cover the increased enumeration, and the item of $847.50 to cover the shortage in the present appropriation, but, with regard to the other items presented by Mr. Wallace, I have the honor to state that this office is not sufficiently informed to express an intelligent opinion.

I therefore respectfully submit the matter to the Department, with the recommendation that the additional appropriation be made in such terms that the amount appropriated, or so much thereof as may be necessary, can be used, and the remainder covered back into the Treasury.

Very respectfully, your obedient servant,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, July 31, 1890.

SIR: I have the honor to submit herewith, in response to a verbal request from your Department, an estimate of the additional appropriation, which I deem necessary to complete my work in connection with the Cherokee Freedmen, Delaware, and Shawnee Indian rolls, and to make the final payment thereon.

Shortage to July 24, 1890	$847.50
To meet increased enumeration	5,000.00
Expenses of disbursement	1,500.00
Estimated to cover incidental and emergency expenses	2,652.50
Total	10,000.00

Whatever of the amount that is not required to be returnable to the Treasury. The appropriation made to effect the payment to the beneficiaries alluded to, was based upon an estimate made by Commissioner Atkins, my rolls show that an increased appropriation is necessary, owing to the omission made in the roll from which he based his conclusion. This also applies to the amount appropriated to ascertain who of the various classes were properly entitled.

Very respectfully,

JOHN W. WALLACE,
Commissioner, etc.

Hon. T. J. MORGAN,
Commissioner of Indian Affairs.

Statement of unsettled amounts due on account of enrollment of Cherokee Freedmen, Delaware and Shawnee Indians.

Due on account services:		
C. S. Shelton, clerk		$81.00
S. S. Clover, clerk		50.00
T. Dougherty, interpreter		82.50
W. Breedlove, clerk		152.00
L. Foreman, messenger		11.00
		376.50
Per diem of Commissioner, balance March 31		260.40
Per diem of Commissioner, April to June 30, 91 days		910.00
Per diem of Commissioner, July 1 to July 24		240.00
Traveling expenses, Fort Smith to Washington		37.00
Incidental expenses paid by Commissioner:		
March 6, omitted from account J. W. Stapler, 1 trunk	$7.00	
March 6, omitted from account Brown & Co., stationery	5.00	
April 10, expressage on report	.25	
May 1, Samuel Edmonds on replevin, Cherokee rolls	2.50	
May 3, expressage trunk of evidence	6.50	
		21.25
To amount due W. C. Patton & Co., unsettled bill		2.35
Total		1,847.50

NOTE.—One thousand dollars of the original appropriation act of March 2, 1889, is still in the Treasury, leaving a deficiency of $847.50 to be appropriated by Congress.

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51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 457.

PENSION TO NANCY SMITH.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A communication from the Commissioner of Pensions recommending that a special act of Congress be passed authorizing the War Department to change its records so as to give a discharge pro forma to George W. Smith, late husband of Nancy Smith, whereby the said Nancy Smith may receive a pension.

AUGUST 9, 1890.—Referred to the Committee on Invalid Pensions.

DEPARTMENT OF THE INTERIOR,
Washington, August 7, 1890.

SIR: I have considered the accompanying communication from the honorable Commissioner of Pensions, and respectfully submit the same to you in pursuance of the suggestion expressed therein by the Commissioner.

The subject of this communication is the application, number 269542, of Nancy Smith, for pension as the widow of George W. Smith, late of Company F, Phelps's regiment, Missouri Infantry.

The facts of the case set forth by the Commissioner, who is unable to adjudicate the claim upon its merits, because of the fact that her late husband, after serving in the line of duty six months, retired from the service on account of sickness, without a discharge, and was thereafter impersonated in the service by his son, Patrick, who, standing in his father's place, answered to his father's name at roll-call, and was killed in action, March 7, 1862, his death being recorded as that of George W. Smith, who, in fact, was at home, sick, and remained so until his death, in 1874. Patrick Smith, who had not enlisted in the service as such, was killed in battle, but his father, whose substitute he became, survived the war and was never formally discharged from the service. A discharge from the service is a prerequisite of pension, and, in order that claimant, as the widow of George W. Smith, may acquire a pensionable status, the War Department must so amend its records as to give George W. Smith a discharge, *pro forma*, from the date of his withdrawal from the service, as alleged, six months after his enlistment; but it is assumed that the records of the War Department can not be so amended without a special act of Congress ex-

pressly authorizing it. It is to this fact that I respectfully call your attention, in view of the statements contained in the accompanying communication from the Commissioner of Pensions.

If the facts in the case are as alleged, then the claim is a meritorious one, coming within the purview of the joint resolution of Congress, as approved May 29, 1830, and which is still in force, as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the heads of Departments who may severally [be] charged with the administration of the pension laws of the United States of America, be and they are, respectively, directed and required, as soon as may be after the opening of each session of Congress, to present to the Senate and House of Representatives a several list of such persons, whether revolutio' ary, invalid, or otherwise, as shall have an application for a pension, and as, in their opinion, respectively, ought to be placed upon the pension-roll, or otherwise provided for, and for doing which they have no sufficient power or authority, with the names and residences of such persons, the capacity in which they served, the degree of relief proposed, and a brief statement of the grounds thereof, to the end that Congress may consider the same.

This Department is aware that it is not customary for the head of the Department to recommend to Congress an alteration of the record of another Department, nor to otherwise interfere with such records; yet, inasmuch as the Adjutant-General has voluntarily called attention to the practicability of so amending the records of the War Department, in this case, as to give claimant a pensionable status, provided Congress shall grant special authority to do so, it is respectfully urged that the Adjutant-General's suggestion may solve the difficulty that obstructs the claimant's application for widow's pension; and, therefore, the matter is submitted here, in pursuance of the foregoing joint resolution, for such action as Congress may choose to take.

Very respectfully,

JOHN W. NOBLE,
Secretary.

HON. THOMAS B. REED,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., August 1, 1890.

SIR: In conformity with Order No. 51, dated August 14, 1877, and made in pursuance to act of Congress, approved May 29, 1830, I have the honor to call your attention to the above-described claim for pension of Nancy Smith, with a view to having special legislation by Congress taken in the same.

This is a case of great hardship to the claimant, owing to the incongruity of the soldier's record.

The facts are as follows: George W. Smith, the soldier of record, enlisted October 18, 1861, and was mustered into service November 18, 1861, where he served until he was too sick for duty, when he was sent, or permitted to go home, and his son, Patrick Smith, took his place, performed duty, answered to the name of George W. Smith, and was killed in action March 7, 1862. This disposes of the George W. Smith, so far as the record in the War Department is concerned; when, as a matter of fact, said George W. Smith was at home sick, and remained so until his death, in 1874. There is no record in the War Department of the services and death of Patrick Smith as a substitute.

The widow bases her claim for pension upon the services and death of George W. Smith, in 1874, caused by hemorrhoids and fistula in ano, contracted in line of duty, which was rejected July 23, 1890, on the ground that the soldier, George W. Smith, was never killed (the record shows that he was) nor discharged from the service; it appearing that his son, Patrick, was accepted as a substitute, and killed while so acting.

The Adjutant-General, U. S. Army, under date of May 6, 1890, states that "while the unlawful act of exchange may not have worked any injury to the Government, it yet was unlawful, and the Secretary of War does not feel that he has the authority to give it the character of legality, and that it appears to be a case in which Congress alone can afford relief." I would, therefore, suggest that Congress be asked to instruct the Adjutant-General, U. S. Army, to so amend his record as to show that George W. Smith was mustered out at the expiration of his six months' term of service, thereby completing his military history, and giving the widow a pensionable status before this bureau, she having otherwise established a prima-facie case.

Very respectfully,

GREEN B. RAUM,
Commissioner.

Hon. JOHN W. NOBLE,
Secretary of the Interior, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 458.

CONTRACTS FOR FOREIGN MAILS.

COMMUNICATION

FROM

THE POSTMASTER-GENERAL,

TRANSMITTING

Information in response to a House resolution passed August 7, 1890, asking for contracts, conditions, and rate of payments for carrying the mails of the United States to foreign countries.

AUGUST 12, 1890.—Referred to the Committee on the Post-Office and Post-Roads.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., August 11, 1890.

SIR: I have the honor to acknowledge receipt of the resolution of the House of Representatives, passed August 7, 1890, as follows:

That the Postmaster-General be requested to report to the House of Representatives copies of the agreements or contracts made for carrying the mails of the United States to foreign countries, the conditions on which the awards are made, and the rate of payments for such service.

I have the honor to report that there are no contracts or agreements in force for the conveyance of the United States mails for foreign countries except in the case of Cuba, which will be hereinafter mentioned. The United States mails for all other foreign countries except Cuba are dispatched in accordance with the provisions of section 4009 of the Revised Statutes of the United States, under which the conveying steamers (if of United States registry) are allowed and paid the full sea and United States inland postage collected on the articles contained in the mails; that is to say, for letters and post cards $1.60 per pound, and for other articles 8 cents per pound, calculated upon the net weights of the mails as ascertained and reported to this Department by the postmasters who make up the mails; and if of foreign registry the "sea postage" only on the articles contained in the mails, which is calculated at the rate of 5 francs per kilogram (about 44 cents per pound) for letters and post cards and 50 centimes per kilogram (about 4½ cents per pound) for other articles, these being the rates fixed by the Convention of the Universal Postal Union for a single sea transit of mails passing by sea from one country of the Postal Union to another.

There are only two exceptions to the foregoing rates of compensation, viz: (1) In the case of mails dispatched by sea to Canada the steamers

are allowed compensation at the rate of 1 cent per letter, the postage on letters for Canada being 2 cents per ounce; and (2) in the case of mails for the Australasian colonies the steamers are allowed compensation at the rate of $50,000 per annum, that sum being estimated to represent the postage collected on the articles based upon the weights of the mails dispatched during the preceding year, the rate of postage on letters for those colonies being 12 cents per one-half ounce, and the service being performed by vessels of United States register.

Settlement is made with steam-ship companies quarterly upon separate orders of the Postmaster-General, the companies being advised of the weights of the mails and the rates of compensation.

As a rule the mails are dispatched to foreign countries by every steamer whose services are tendered to this Department for that purpose. In the case of competing vessels, sailing for the same destination at about the same time, the mails are invariably awarded to that vessel which from its previous record of speed will probably deliver the mails soonest at destination.

As to Cuba, above mentioned, I have the honor to state that there is a domestic contract in force with Henry B. Plant for the conveyance of the mails between Cuba and Tampa and Key West, Fla. A copy of this contract, containing detailed information upon this subject, is herewith transmitted. This contract, I may add, was made under authority of the act of Comgress approved March 3, 1885, which reads as follows:

> The Postmaster-General is authorized to contract for inland and foreign steam-boat mail service, when it can be combined in one route, where the foreign office or offices are not more than 200 miles distant from the domestic office, on the same terms and conditions as inland steam-boat service, and pay for the same out of the appropriation for inland steam-boat service.

I am respectfully, your obedient servant,

JNO. WANAMAKER,
Postmaster-General.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

ROUTE NO. 16091.—*Steam-boat service.*

These articles of contract, made this third day of May, in the year one thousand eight hundred and ninety, between the United States of America (acting in this behalf by the Postmaster-General) and Henry B. Plant, of New York, N. Y., and Henry Sanford and Walter S. Chisholm, sureties.

Witness, that whereas the said H. B. Plant has been accepted according to law as contractor for transporting the mails on route No. 16091, from Port Tampa, by Key West, Fla., to Havana, Cuba, and return, touching at Key West each way, in safe and suitable steam-ships, said steam-ships being hereinafter particularly mentioned, and by a schedule satisfactory to the Department, for and during the term of two years, commencing on the first day of July, 1890, and ending on the thirtieth day of June, 1892, three times a week from November 1 to April 30 of each year and twice a week from May 1 to October 31 of each year, for the sum of fifty-seven thousand five hundred and seventy-eight dollars and seventy-four cents ($57,578.74) per annum. Now, therefore, the said contractor and his sureties do jointly and severally undertake, covenant, and agree with the United States and do bind themselves.

First. To carry the mails of the United States, and such other mails of whatever origin or country, regardless of character, size, weight, or increase, during the term of this contract as may, by or under authority of the Postmaster-General, be ordered carried either way by a schedule of departures and arrivals to be prescribed by the Postmaster-General, and not to exceed twenty-five hours' running time each way, except a reasonable time for stopping at and coaling at Key West, subject to the

approval of the Postmaster-General, but to continue no longer than such arrangement shall be necessary unless the same be altered by the Postmaster-General, and so to carry said mails until said schedule is altered by the authority of the Postmaster-General, as hereinafter provided; and then to carry according to said altered schedule; and the schedule may be changed from time to time, or at any time the Postmaster-General may think the interests of the service to require it, without any allowance or additional pay; provided the schedule made shall not require the mails or any part thereof to be delivered in the port of Havana between sunset and sunrise, unless the consent of the public authorities at that port shall be given, so that the vessel may enter and depart at the time fixed by the Postmaster-General.

Second. The mails to be carried within the meaning of this contract are all such mails of the United States, or of any other Government, that the Postmaster-General shall require to be carried.

Third. To carry said mail in a safe and secure manner, free from wet and other injury, and in separate and convenient apartments on each steam-ship, to be suitably fitted up under the order and to the satisfaction of the Postmaster-General at the expense of the contractor, for the assorting and safe-keeping of the mail, and for the sole and exclusive occupation, use, and accommodation of the Post-Office Department and its agent or postal clerk, with suitable accommodations for sleeping for the exclusive use of the agent or clerk; to convey such agent or clerk on every trip, and furnish him with the board and all privileges of a first-class cabin passenger whenever the Postmaster-General shall deem the public interests to require such agent or clerk to be on any such vessel. In case the contractor fails to furnish such suitable accommodations, the Postmaster-General shall have the right to provide a separate and convenient apartment, or other suitable accommodations, at the expense of the contractor, and to impose such fine or reduction as he shall deem fit.

Fourth. To take the mail and every part of it, from, and deliver it, and every part of it, into the post-office at Key West, and in Havana, in accordance with the custom and rules of that port, and from and into the post-office and railroad station or postal-car at port Tampa, Fla., as may be required at any time.

Fifth. The steam-ships to be used in the performance of this service shall be the *Mascotte* and the *Olivette*, now sailing on said route; and in the event of the loss or disability of either or both of said steam-ships, the steam-ships substituted therefor shall be safe, suitable, and satisfactory to the Postmaster-General, and equal in all respects to the *Mascotte* or *Olivette* or both, in passenger capacity and accommodations, tonnage and sea-going qualities, and adequate to make the speed required to perform this contract acceptably to the Postmaster-General.

Sixth. Whenever no agent or postal clerk shall be provided on any trip or vessel to have on board a suitable person who shall be an officer of the steam-ship, for whom the contractor shall be answerable, to whom the said contractor shall commit the care and transportation of the mail, and be accountable to the United States for any damages which may be sustained through his unfaithfulness or want of care; and the said contractor shall discharge any employé in charge of said mail whenever required to do so by the Postmaster-General; also, he will not transmit, by himself or his agent, or be concerned in transmitting, intelligence more rapidly than by mail; and that he will not carry out of the mail letters, newspapers, or other mailable matters which should go by post; and that he will not knowingly convey any person carrying on the business of transporting letters or other mail matter without the consent of the Postmaster-General; and further, that the said contractor will convey, without additional charge, post-office blanks, mail bags, mail keys, and post-office supplies and materials, and also any post-office inspector traveling on the business of the Department on presentation of his credentials. In the event of there being no mail agent of the Department on any steam-ship employed in the performance of this service, an officer of the steam-ship, duly sworn, as provided by the act of March 3, 1874, shall have custody of and attend to the receipt and delivery of the mail without further charge.

Seventh. They further undertake, covenant, and agree with the United States, that the said contractor will collect quarterly, if required by the Postmaster-General, of postmasters on said route, the balances due from them to the United States and faithfully render an account thereof to the Postmaster-General in the settlement of quarterly accounts, and pay over to the United States all balances remaining in his hands.

Eighth. It is hereby further stipulated and agreed by the said contractor and his sureties that in the event of mails of any foreign Government being sent by or upon any steam-ship employed in the performance of service under this contract, or any steam-ship of the said contractor, the sum received, if any, by the contractor or said steam ship for the conveyance of any and all such foreign mails, shall be accounted for, belong, and be paid to the United States of America, it being the express purpose of this contract to make every steam-ship on said route the sea-going mail carrier of the United States, solely, in both directions.

Ninth. The Postmaster-General may increase, extend, or change the service, he allowing not to exceed pro rata increase of compensation, within the restrictions imposed by law, for the additional service required; the Postmaster-General may also curtail, reduce, or discontinue the service in whole or in part, he allowing one month's extra pay on the amount dispensed with, and not to exceed pro rata compensation for the service retained.

Tenth. It is hereby also stipulated and agreed by the said contractor and his sureties, that in all cases there may be a forfeiture of the pay of a round trip when the trip is not run; and of not more than three times the pay of a trip when the trip is not run, and no sufficient excuse for the failure is furnished; a forfeiture of at least one-fourth part of the pay of a round trip when the running is so far behind time as to lose connection with a depending mail, unless it is shown that the same was not caused by neglect or want of proper skill, or misconduct; and a forfeiture of a due proportion of it when a grade of service is rendered inferior to the mode of conveyance above stipulated for; and that these forfeitures may be increased into penalties of a higher amount, according to the nature or frequency of the failure, and the importance of the mail; also, that fines may be imposed upon the contractor, unless the delinquency be satisfactorily explained to the Postmaster-General in due time; for failure to take from or deliver at a post-office the mail or any part of it; for suffering it to be wet, injured, lost, or destroyed; for carrying it in a place or manner that exposes it to depredation, loss, or injury, by being wet or otherwise; for refusing, after demand, to convey a mail by any steam-ship which the contractor runs, or is concerned in running, on the route, beyond the number of trips above specified; or for not arriving at the time set in the schedule, unless not caused by neglect or want of proper skill, or by misconduct; and for setting up or running an express to transmit letters or intelligence in advance of the mail, or for transporting, knowingly, or after being informed, any one engaged in transporting letters or mail matter, in violation of the laws of the United States, a penalty of fifty dollars may be exacted for each offense, and for each article so carried. Also, for the loss and destruction of any mail, a penalty may be imposed in a sum not to exceed one and a fourth times the value of the contents lost thereby; provided the loss be occasioned by the fault of the contractor, his agent, or employé.

Eleventh. And it is hereby further stipulated and agreed by the said contractor and his sureties that the Postmaster-General may annul the contract for repeated failures; for violating the Post-Office Laws or Regulations; for disobeying the instructions of the Department; for refusing to discharge any person having charge of the mail by his direction, when required by the Department; for setting up or running an express as aforesaid; or for transporting persons conveying mail matter out of the mail as aforesaid; or whenever the contractor shall become a postmaster, assistant postmaster, or member of Congress, or shall admit to any share or part of, or any benefit to arise from, this contract any Member of, or Delegate to Congress; or whenever, in the opinion of the Postmaster-General, the service can not be safely continued, the revenues collected, or the laws maintained on the route herein named; and this contract shall be subject to all the conditions imposed by law and by the several acts of Congress relating to post-offices and post-roads.

For which services, when performed and satisfactory evidence thereof shall have been filed with the Postmaster-General, the United States of America (acting in this behalf by the Postmaster-General), will pay the said Henry B. Plant, contractor, at the rate of fifty-seven thousand five hundred and seventy-eight dollars and seventy-four cents ($57,578.74) per annum for the aforesaid contract term, to-wit, quarterly, in the months of November, February, May, and August of each year, beginning with November, 1890, or as soon thereafter as accounts can be stated and settlements made, through the postmasters on the route or otherwise, at the option of the Postmaster-General; said pay to be subject, however, to be reduced or discontinued by the Postmaster-General, as hereinbefore stipulated, or to be suspended in case of delinquency.

In witness whereof the said Postmaster-General has caused the seal of the Post-Office Department to be hereto affixed, and has attested the same by his signature; and the said contractor and his sureties have hereunto set their hands and seals the day and year set opposite their names respectively.

Signed, sealed, and delivered by the Postmaster-General in the presence of ——— ———, and the interlineation of the word "port," in the eighth line of page 1 and in the eleventh line of page 3, of the words "or clerk," in the twenty-sixth line of page 2, and the words "or both," in the fourteenth line of page 3, made before signing.

Signed this 18th day of June, 1890.

JNO. WANAMAKER,
Postmaster-General.

And by other parties hereto in the presence of—
G. H. TILLEY,
S. LOUGHMAN,
Witnesses.

Signed this seventh day of June, 1890.

HENRY B. PLANT,
Contractor.

Signed this seventh day of June, 1890.

HENRY SANFORD,
Surety.

Signed this seventh day of June, 1890.

WALTER S. CHISHOLM,
Surety.

POST OFFICE, *New York, June* 14, 1890.

I hereby certify that Henry Sanford and Walter S. Chisholm are good and sufficient sureties for the amount of the foregoing contract.

C. VAN COTT,
Postmaster.

I, Henry B. Plant, do solemnly swear that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of the post-offices and post-roads within the United States, and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control; and I also further swear that I will support the Constitution of the United States: so help me God.

HENRY B. PLANT.

Sworn before the subscriber, Cornelius Van Cott, postmaster at New York, State of New York, this 14th day of June, 1890; and I also certify that the person above named is above the age of twenty-one years to the best of my knowledge and belief.

C. VAN COTT,
Postmaster at New York, N. Y.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 459.

PUBLIC BUILDING AT DAYTON, OHIO.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

INCLOSING

A letter from the Supervising Architect, requesting that an appropriation of $10,000 on account of the public building at Dayton, Ohio, may be included in the deficiency bill.

AUGUST 15, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., August 14, 1890.

SIR: I have the honor to inclose for appropriate action copy of a letter this day addressed to me by the Supervising Architect of this Department, requesting that an appropriation, in amount $10,000, on account of the public building at Dayton, Ohio, may be included in the deficiency bill.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., August 14, 1890.

SIR: I have the honor to request your consideration of the matter of a further appropriation on account of the construction of the post-office, etc., at Dayton, Ohio.

In brief, I may state that an item of $10,000 for the building named was included in the deficiency estimate, Executive Document 174, but during the interval a bill was introduced for an appropriation to increase the size of the building, and no provision was made for the appropria-

tion of $10,000 asked. It is believed that no further action has been taken in regard to this extension of limit, and as all preliminary arrangements have been perfected to invite proposals for the supply of the interior finish as originally contemplated, it is submitted that an item of $10,000 should be included in the deficiency bill to enable proper procedure with the work.

Respectfully, yours,

JAS. H. WINDRIM,
Supervising Architect.

Hon. WILLIAM WINDOM,
Secretary of the Treasury, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 460.

PUBLIC BUILDING AT KEY WEST, FLORIDA

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

INCLOSING

A letter from the Supervising Architect requesting that an appropriation of $10,000 on account of the public building at Key West, Fla., may be included in the deficiency bill.

AUGUST 15, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., August 14, 1890.

SIR: I have the honor to inclose for appropriate action copy of a letter this day addressed to me by the Supervising Architect of this Department requesting that an appropriation in amount $10,000 on account of the public building at Key West, Fla., may be included in the deficiency bill.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., August 14, 1890.

SIR: I have the honor to request that some favorable consideration may be given to a further appropriation on account of the court-house and post-office at Key West, Fla.

In explanation I may state that the original estimate for the building named provided for the heating of the building by furnace, and made no provision for the supply of an elevator.

In view of the fact that the third story will be occupied by important officers connected with the Customs and Internal Revenue Depart-

ment it is proper that an elevator should be supplied for the building, in which event the proposed use of furnace should be abandoned and in lieu thereof a steam-heating apparatus be supplied, jointly utilizing the force necessary to run the elevator.

To permit of this action indicated being taken a further appropriation of $10,000 will be necessary, and I have the honor to request that this amount may be included in the deficiency bill.

Respectfully, yours,

JAS. H. WINDRIM,
Supervising Architect.

Hon. WILLIAN WINDOM,
Secretary of the Treasury, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 461.

PUBLIC BUILDING AT WINONA, MINN.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

INCLOSING

A letter from the Supervising Architect requesting an appropriation of $10,000 on account of a public building at Winona, Minn., may be included in the deficiency bill.

AUGUST 15, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., August 14, 1890.

SIR: I have the honor to inclose for appropriate action copy of a letter this day addressed to me by the Supervising Architect of this Department, requesting that an appropriation, in amount $10,000, on account of the public building at Winona, Minn., may be included in the deficiency bill.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING ARCHITECT,
Washington, D. C., August 14, 1890.

SIR: I have the honor to invite your attention to the appropriation for the court-house, post-office, etc., at Winona, Minn.:

The limit of cost for the building named is		$150,000
Appropriation made	$100,000	
Appropriation contemplated by sundry civil bill	40,000	
		140,000
Leaving a balance to be appropriated under the limit		10,000

In view of the fact that under favorable conditions it has become feasible to secure betterments of the building and in order to permit contract being made for the heating apparatus and so secure the entire completion of the building during the early part of the coming year, the time for completion, March 1, 1891, having been fixed by contract, I respectfully ask that favorable action may be taken by including in the deficiency bill an amount of $10,000, and thus appropriate all money contemplated by the limit and as requested in the regular estimates.

Respectfully, yours,

JAS. H. WINDRIM,
Supervising Architect.

Hon. WILLIAM WINDOM,
Secretary of the Treasury, Washington, D. C.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 462.

INCREASE OF FORCE IN KITTERY NAVY-YARD.

LETTER

FROM

THE SECRETARY OF THE NAVY,

IN REPLY

To a resolution of the House of Representatives of August 5, 1890, relative to an increase of force at the Kittery navy-yard.

AUGUST 27, 1890.—Referred to the Committee on Rules.

NAVY DEPARTMENT,
Washington, August 18, 1890.

SIR: I have the honor to acknowledge the receipt, on the 11th instant, of the following resolution of the House of Representatives, adopted August 5, 1890:

Resolved, That the Secretary of the Navy be directed to inform the House of the necessity of increasing the force employed at the Kittery navy-yard, near Portsmouth, N. H., at this time, as ordered by the Department; whether the best interests of the public service require that the buildings destroyed by fire in January last should be reconstructed; whether the gunnery-ship *Lancaster* should be completed; whether repairs and alterations should be made on the training-ship *Monongahela;* whether there is any necessity for increasing at this time the water supply and completing the hydrant system at said navy-yard, and for constructing a ferry-boat thereat; whether the contemplated employment of such increased force at said navy-yard at this time is or is not intended to affect the approaching Congressional election in the State of Maine, rather than to subserve the public interests, and to inform the House the reasons for said order and of any precedents therefor.

In reply to the above inquiry I have the honor to state that the necessity for an increase in the working force in the month of July was due to the fact that the appropriations for the current fiscal year, provided by the act of June 30 last, became available July 1. Of these appropriations some were to be applied to new work specifically directed by the act; others to new work authorized in general terms, which could only be undertaken when the funds for the new fiscal year became available; others again to partly completed work which had been suspended in the month of May and June, owing to the exhaustion of appropriations then current. To whichever class the work belonged, it involved an increase of the force during the month of July.

Under the act approved June 30, 1876—

No increase of the force at any navy-yard shall be made at any time within sixty days next before any election to take place for President of the United States, or member of Congress, except when the Secretary of the Navy shall certify that the needs of the public service make such increase necessary at that time, which certificate shall be immediately published when made.

The election in the State of Maine being fixed for the 8th of September, any increase between July 8 and September 8 of the force at the Portsmouth navy-yard, situated at Kittery, Me., could only be made after the publication of the certificate, and the following order and certificate were issued, July 23, in accordance with the law:

NAVY DEPARTMENT, *July* 23, 1890.

SIR: In compliance with your request of the 18th instant I have made a certificate, which is herewith inclosed, as to the necessity of increasing at this time the force at the navy-yard under your command for the purposes of reconstructing buildings numbered 45 and 46, destroyed by fire in January last, of completing the gunnery-ship *Lancaster*, of making necessary repairs and alterations of the training-ship *Monongahela*, increasing the water supply, completing hydrant system, and constructing a ferry-boat, the appropriations for which objects became available at the beginning of the current month.

The authority accompanies this for the publication of the certificates two times, consecutively, in the Chronicle, Portsmouth, N. H.

Very respectfully,

B. F. TRACY,
Secretary of the Navy.

The COMMANDANT OF THE NAVY-YARD,
Portsmouth, N. H.

CERTIFICATE.

JULY 23, 1890.

In compliance with the act of Congress approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase at this time the force employed at the navy-yard, Portsmouth, N. H., for the purposes of reconstructing buildings numbered 45 and 46, destroyed by fire in January last, of completing the gunnery-ship *Lancaster*, of making necessary repairs and alterations of the training-ship *Monongahela*, increasing the water supply, completing hydrant system, and constructing a ferry-boat, the appropriations for which objects became available at the beginning of the current month.

B. F. TRACY,
Secretary of the Navy.

The changes in the force under all bureaus of the Portsmouth yard, as shown by the monthly returns, have been as follows: June 1, 1890, the force numbered 419, July 1, 347, August 1, 448; showing an increase of thirty over the normal strength of the force in June. The great decrease at the beginning of July, the close of the fiscal year, was due to exhausted appropriations. The increase of thirty will undoubtedly grow larger as the work progresses.

The precedents for the above certificate, which are called for in the resolution of inquiry, run back to the Presidential election in the year 1876, immediately following the passage of the act.

The records show that certificates have been issued in every election year since that time. The increase between September 1 and November 1 in these three years at the five principal yards, namely—Portsmouth, Boston, New York, Norfolk, and Mare Island—with the exception of 1876 and 1878, the records of which are imperfect, is as follows:

	Men.
1880	433
1882	949
1884	721
1886	857
1888	1467

The orders and certificates issued in the last-mentioned year (1888) were fifteen in number, of which two referred to Portsmouth. Several of these certificates are given in full, being those upon which the Department more particularly relied on the present occasion. The Portsmouth certificates are as follows:

NAVY DEPARTMENT,
Washington, August 10, 1888.

SIR: In accordance with your request of the 6th instant, you are authorized to increase the force at the yard one hundred and eighty men. The certificate required by law in the case is herewith inclosed, accompanied by an order for its publication in the Times, of Portsmouth, N. H.

Very respectfully,

W. C. WHITNEY,
Secretary of the Navy.

Capt. R. F. BRADFORD, U. S. N.,
Portsmouth, N. H.

NAVY DEPARTMENT,
Washington, August 10, 1888.

In compliance with an act of Congress approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase, at this time, the force at the navy-yard, Portsmouth, N. H., for the prosecution of the work of repairs upon the *Portsmouth*, and for other necessary purposes.

W. C. WHITNEY,
Secretary of the Navy.

NAVY DEPARTMENT,
Washington, September 1, 1888.

SIR: In accordance with your request of the 30th ultimo, you are authorized to increase the force at the yard two hundred men.

The certificate required by law in the case is herewith inclosed, accompanied by an order for its publication in the Times, of Portsmouth, N. H.

Very respectfully,

D. B. HARMONY,
Acting Secretary of the Navy.

Capt. R. F. BRADFORD, U. S. N.,
Commandant, Navy-Yard, Portsmouth, N. H.

NAVY DEPARTMENT,
Washington, September 1, 1888.

In compliance with an act of Congress approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase, at this time, the force at the navy-yard, Portsmouth, N. H., for the prosecution of the work upon the *Saratoga*, and for other necessary purposes.

D. B. HARMONY,
Acting Secretary of the Navy.

The total increase authorized at the Portsmouth yard under these orders was three hundred and eighty men.

Up to this time it had been customary to specify in the order or advertisement the number of men. On the 21st of September, 1888, the following order was issued.

To all yards:

Should it be necessary to ask an increase of force at the yard in pursuance of the act of June 30, 1876, the number of men need not be specified, but the work or job requiring the increase should be.

By direction of the Secretary of the Navy.

Very respectfully,

JNO. W. HOGG,
Chief Clerk.

In accordance with this order, the certificates issued immediately prior to the Presidential election of this year omitted the number of men required, and this precedent was followed in the present certificate.

The certificates of September and October, 1888, were as follows:

BOSTON.

NAVY DEPARTMENT, *September* 29, 1888

In compliance with an act of Congress approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase, at this time, the force at the navy-yard, Boston, for the prosecution of the work under the appropriation "Water-pipes, navy-yard, Boston."

D. B. HARMONY,
Acting Secretary of the Navy.

Five other certificates were issued for various purposes at Boston, on October 4, 12, 15, 20, and 25.

BROOKLYN.

NAVY DEPARTMENT, *September* 15, 1888.

In accordance with an act of Congress approved June 30, 1876, I hereby certify that the needs of the public service make it necessary at this time to increase the force in the navy-yard, Brooklyn, N. Y., to work on building No. 7, the yard wall, and boiler-shop wing to machine-shop.

W. C. WHITNEY,
Secretary of the Navy.

Three other certificates were issued in reference to Brooklyn, as follows:

September 28, "for the prosecution of the work upon the *Yantic*, *Galena*, *Miantonomah*, and *Terror*, and for other necessary purposes."

October 5, "for work upon building No. 29, and to repair walls along the water front."

October 20, "for the purpose of handling supplies in the construction department."

One certificate was issued for Norfolk as follows:

NAVY DEPARTMENT, *September* 19, 1888.

In compliance with an act of Congress, approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase, at this time, the force at the navy-yard, Norfolk, Va., for the prosecution of the work upon the *Pensacola* and for other necessary purposes.

W. C. WHITNEY,
Secretary of the Navy.

MARE ISLAND.

NAVY DEPARTMENT, *September* 20, 1888.

In compliance with an act of Congress, approved June 30, 1876, I hereby certify that the needs of the public service make it necessary to increase at this time the force at the navy-yard, Mare Island, Cal., for the prosecution of the work upon the *Ranger*, and for other necessary purposes.

W. C. WHITNEY,
Secretary of the Navy.

One other certificate was issued for Mare Island October 3, "for the prosecution of the work upon the *Mohican*, *Monongahela*, *Iroquois*, and *Monadnock*, and for other necessary purposes."

In reference to the specific works that are the subject of inquiry in the resolution, the Department replies as follows:

(1) Whether the best interests of the public service require that the buildings destroyed by fire in January last should be reconstructed.

In view of the fact that on the 30th of June, less than one month before the publication of the order covering this work, Congress directed the work by law, and emphasized its urgency by making the appropri-

ation immediately available, it would seem to be unbecoming in an Executive Department, whose duty is to obey and execute the law, to make any comment, even by way of answer to an inquiry, on the opinion thus clearly pronounced by the legislature.

The facts are as follows:

The buildings were destroyed by fire January 27, 1890. An appropriation to rebuild them was urgently asked for by the Chief of the Bureau of Construction, who stated February 26, 1890, that—

> A suitable building for wood-working machinery and a ship-fitter's shop should be erected on the site of the one burnt with as little delay as possible in the best interest of the Government; and to this end the bureau recommends that the Department be requested to ask that an amount sufficient for this purpose be inserted in the naval appropriation bill.

The Bureau of Yards and Docks on March 4, 1890, submitted an estimate for this object, and the act of June 30 appropriated therefor the sum of $50,000. The date of the passage of the act has reduced the time available for outdoor work, and it is clear that with the season so far advanced there should be no postponement in beginning the brick walls of these buildings.

(2) Whether the gunnery ship *Lancaster* should be completed.

The gunnery ship *Lancaster* should undoubtedly be completed, and with the least possible delay. The work was begun in October last. It was assigned to Portsmouth because Portsmouth has for eight years past been reserved for the repair of wooden vessels. Its progress prior to the 1st of July was obstructed by want of funds. At that date the new appropriations began to run, and the work will now be pushed to completion. The ship is in the dry-dock, her decks have been cut to receive new boilers, and a portion of her planking is being replaced. The materials for her decks are in part delivered and available for use.

The importance of this gunnery ship, fitted with a modern armament for the training of apprentices, can hardly be overestimated. The Chief of the Bureau of Navigation, Commodore F. M. Ramsay, states that—

> The training service has no ship with a modern battery. No cruising ship can be spared for this service.

In consequence of this defect, a large number of naval apprentices go through their course of training in absolute ignorance of the use and fittings of modern guns.

It may be added that the repair of the *Lancaster* has received express sanction from Congress, in the naval appropriation act of June 30, 1890, which contains the following item under the Bureau of Equipment:

> For installing the U. S. steam-ship *Lancaster* with an electric lighting plant, $10,000;

and which states that one of the items in the appropriation of $2,500,000 for armament, under the Bureau of Ordnance, is for "the armament with modern batteries of a gunnery training-ship."

(2) Whether repairs and alterations should be made on the training-ship *Monongahela*.

The necessity for repairs and alterations on the training-ship *Monongahela* is no less urgent. The bureau charged with the training of apprentices describes the exigency of the situation as follows:

> The training service at the present time is in a desperate state as regards means for instructing apprentices to supply the wants of the cruising ships. At present there are but two cruising training-ships, the *Portsmouth* and *Jamestown*. These vessels accommodate one hundred and thirty apprentices each. The period of instruction on

board of a cruising training-ship for apprentices is one year. The number authorized to be enlisted per annum is seven hundred and fifty. In order to supply the wants of the service a large number of apprentices must always be in training. Two more cruising training-ships are absolutely necessary for this purpose.

It being found that the *Monongahela* could be spared from duty as a store-ship in the Pacific, and that she was in fair condition, this vessel was ordered East, that she might be altered and used as a training ship for apprentices. She is a live-oak ship, and, if properly fitted at the start will last many years; will carry about two hundred and fifty apprentices, and will be superior in every way to the ships now being used for this purpose. At the present moment there are no apprentices available for the *Philadelphia*, *San Francisco*, and *Alert*, in consequence of not having ships in which to train them. There are a large number of apprentices at the training station at Newport, awaiting opportunity to go on training-ships.

It is respectfully urged that the *Monongahela* and *Lancaster* be fitted for this purpose with all possible dispatch.

It is hoped and believed that with proper training-ships, there will be no difficulty in supplying the wants of the service with American seamen. Without training-ships, we can only hope to supply our wants by enlisting such aliens as may choose to enter our service temporarily.

F. M. RAMSAY,
Chief of Bureau.

The selection of Portsmouth as the place of repairing the *Monongahela*, apart from the assignment of that yard to the repair of wooden vessels, has an additional reason in the fact that the vessel having been rebuilt there in 1867, all her patterns are at the yard and can be made available in work now required, as well as the fittings from her condemned sister ship, the *Juniata*.

(4) Whether there is any necessity for increasing at this time the water supply and completing the hydrant system at said yard, and for constructing a ferry-boat thereat.

The increase of the water supply and the completion of the hydrant system have been undertaken by the Department under the same authority that applied to the reconstruction of the burned buildings, namely, that in the act of Congress approved June 30, 1890, the work was specifically directed by law.

These improvements have been urgently recommended by the commandant of the yard, as shown by his last annual report, dated August 10, 1889, and by reports of the Chief of the Bureau of Yards and Docks. No better evidence of their urgency can be adduced than the fact that to the defective water supply was largely due the conflagration of January last, in which the two buildings now to be reconstructed were burned down.

The necessity of entering promptly upon the work in such a climate as that of Portsmouth, N. H., requires no demonstration. It involves the laying of water-pipes, ditching, cleaning out of supply ponds, and other out-door labor, which could not be done after the advent of frost.

Finally, in reference to the ferry-boat, the Department has to state that the boat in question is a launch 60 feet long, 14 feet beam, and 4 feet 3 inches draught, to be used in carrying persons employed at the yard and mails to and from the city of Portsmouth. The boat now in use has been running for twenty years, and the Bureau of Construction reports it as unsound. The Department approved the plan June 2, 1890, upon the following recommendation of the commandant of the navy-yard, dated May 20:

I have to call the attention of the Bureau to the necessity of extensively repairing the ferry-boat *Emerald* at this yard. She has been in continuous service for abont twenty years, receiving at intervals slight repairs, as necessity and opportunity permitted.

Owing to the generally unsound condition of the boat, both externally and internally, to the extensive repairs reqnired to place her in proper condition, and to the cost involved, I would respectfully suggest, as a matter of economy, that a boat be bu[illegible]ke her place.

If the Bureau favors the proposition, and work on the new boat is commenced at an early date, the *Emerald* could in the meantime, with care, be kept on the route with slight repairs.

Very respectfully,

J. S. SKERRETT,
Commodore, U. S. Navy, Commandant.

(5) Whether the contemplated employment of such increased force at said navy-yard at this time is or is not intended to affect the approaching Congressional election in the State of Maine rather than to subserve the public interests.

This question calls upon the Department to explain its motives in undertaking these particular works at this place and at this time.

The statement of facts already given shows:

(1) That as to the six works that are the subject of inquiry all were urgently required by the exigencies of the service and four had been specifically directed by Congress.

(2) As to the place selected for these works, that three of them, the repairs of the *Lancaster* and of the *Monongahela*, and the building of the launch, were assigned to Portsmouth as the yard which for many years had been reserved for works of this character; that the assignment of the *Lancaster* was made eleven months prior to the approaching election, and that good and sufficient reasons, apart from the usual employment of the Portsmouth yard, made the assignment expedient in the case of the *Monongahela*. As to the remaining works, that is to say, the reconstruction of the buildings, the completion of the water supply and hydrant system, at Portsmouth, all of which were specifically ordered by Congress, it is clear that the Department could not have selected any other place for their performance.

(3) As to the time appointed to do the work, which happens to be coincident with the approach of a Congressional election, the course of legislation prevented any work before the 1st of July, and the local climate is such that it would have been sheer negligence in the Department to have postponed it until the middle of September.

In view, however, of the character of this interrogatory, in which the House of Representatives, in direct terms, asks the head of an Executive Department whether he has or has not been guilty of a gross abuse of power in public administration, I deem it proper, in terms equally direct, to deny that the contemplated employment of such increased force at said navy-yard is intended to affect the approaching Congressional election in the State of Maine rather than to subserve the public interests, or that any increase of force at any time has been or will be made by the Navy Department, under its present administration, for the purpose of influencing an approaching election, or for the purpose of electing or defeating any particular candidate; and I have the honor to add that the Navy Department, while pursuing steadily this policy, does not propose that the progress of public work, directed by law and by law committed to its charge, shall be interrupted or postponed by the occurrence of an election, or that it shall be deterred from the performance of what it believes to be its duty by any fear that unjust and unfounded suspicions may call in question the motives of its action.

Very respectfully,

B. F. TRACY,
Secretary of the Navy.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 463.

FRAUDS UPON THE POST-OFFICE DEPARTMENT.

LETTER

FROM

THE POSTMASTER-GENERAL,

TRANSMITTING

Facts and papers in answer to House resolution of August 16, 1890, *reciting that frauds were charged to have been practiced upon the Post-Office Department by one Alexander J. Wedderburn.*

AUGUST 29, 1890.—Referred to the Committee on the Post-Office and Post-Roads.

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., August 28, 1890.

SIR: On the 16th instant a resolution was adopted in the House of Representatives reciting that it had been charged in the columns of responsible journals that gross frauds had been practiced on the Post-Office Department by one Alexander J. Wedderburn, in connection with the transmission through the mails of a large number of newspapers entitled "The National Farm and Fireside," at one-eighth of the rates established by law; that said newspapers, printed in Alexandria, Va., were mailed at a post-office called Grange Camp, established at the request of Wedderburn, one of whose employés was postmaster; that an investigation of these facts had been made by the Post-Office Department, with the result of discontinuing the said post-office; that it had been asserted that criminal proceedings were not instituted against Wedderburn, the Department of Agriculture having interposed in his behalf; and requesting the Postmaster-General to transmit to the House all the facts in possession of the Post-Office Department in this matter, including the reports of the post-office inspectors, together with any correspondence had with the Department of Agriculture.

A copy of this resolution, signed by the Clerk of the House, reached this Department on Monday the 18th instant. I had left the city for a few days on the preceding Friday, the 15th instant, and the Third Assistant Postmaster-General, who, in addition to myself, alone had full knowledge of all the facts in this case, was absent at the death-bed of his mother, having left Washington on the 9th instant. Immediately upon my return I caused the papers to be prepared, and have the honor to submit them to you herewith, in answer to the call of the House of Representatives.

This Department has had no correspondence in this matter with the Department of Agriculture.

The facts in this case may be briefly summarized as follows: Grange Camp is not a city, town, or village, nor a place of resort, except that once a year an agricultural fair is held there for a period of about two weeks. It is a flag station on the railroad, distant in one direction a mile from the next post-office, and in another direction a mile and a half. There is no commercial or private business transacted at that place. There were but two families permanently accommodated by the post-office, in addition to the proprietor of a weekly paper, nominally issued there, but, in reality, published at Alexandria, Va., and one of these families receives part of its mail through a rented box at a neighboring post-office. The only person really benefited by the continuance of the office was Mr. A. J. Wedderburn, proprietor of "The National Farm and Fireside," the editions of which, printed at Alexandria, he has been regularly sending by express to Grange Camp, to be mailed through that post-office.

The Department's investigation discloses that the post-office was originally established through the exertions of Mr. Wedderburn, April 22, 1887; that an order for its discontinuance was made April 16, 1888, which order was rescinded April 24, 1888, and that the person appointed to be postmaster, and who served as such until the office was discontinued, was not a resident of the place, performed none of the duties of the office, and was postmaster in name only. The business of the post-office was performed by one of Mr. Wedderburn's employés, who permitted Wedderburn to obtain his supplies of postage-stamps on credit, and to mail issues of his paper without requiring advance payment of postage, both of these being acts in violation of plain provisions of the statutes, and is alleged to have received all the emoluments of the office. Mr. Wedderburn, therefore, although not an employe of the postal service, was absolute director of the post-office at Grange Camp, mailed his papers there in unlimited quantities, and brought or sent there other mail matter from Alexandria and from Washington, thus swelling the amount of his stamp cancellations, exercising all the power of the postmaster, realizing all its benefits, and being almost its sole patron. It thus resulted that while the receipts of the office during the time it was in existence amounted to $1,495.81, $1,215.02, or 81 per cent. of the whole, went to pay the commissions of the postmaster. The receipts from other business than that of Mr. Wedderburn averaged a little more than two cents a day. Because the salaries of the post-offices at Washington, D. C., and Alexandria, Va., are fixed by law, and the compensation of the respective postmasters is not a variable sum, dependent upon the cancellations of stamps, the whole, or nearly the whole, amount of these commissions, $1,215.02, paid on cancellations of mail matter diverted from the two offices mentioned, was a complete loss to the Government.

Upon these facts, developed by post-office inspectors, the post-office at Grange Camp was discontinued.

The paper above mentioned has not yet been denied admission at second-class rates. That matter is still under consideration, and the Department is awaiting further proofs.

The question as to the prosecution of Mr. Wedderburn has been submitted to the Attorney-General for his opinion.

For convenience, a list of inclosures is given below.

I have the honor to be, very respectfully, your obedient servant,

JNO. WANAMAKER,
Postmaster-General.

Hon. THOMAS B. REED,
Speaker of the House of Representatives.

LIST OF INCLOSURES.

A.—Correspondence in Office of Third Assistant Postmaster-General.
1. Third Assistant to Chief Inspector, May 22, 1890.
2. Third Assistant to postmaster Grange Camp, June 17, 1890.
3. Third Assistant to First Assistant, June 17, 1890.
4. Third Assistant to postmaster, Grange Camp, June 20, 1890.
5. Third Assistant to Chief Inspector, June 20, 1890.
6. Third Assistant to Mr. Wedderburn, June 27, 1890.
7. Mr. Wedderburn to Postmaster-General, August 13, 1890.
8. Memorandum as to compensation of postmaster at Grange Camp and amount of postage paid on "National Farm and Fireside."
9. Specimens of "National Farm and Fireside."

B.—Papers in Office of First Assistant Postmaster-General.
1. Original jacket and inclosure in matter of first establishment of office at Grange Camp, April 22, 1887.
2. Jacket and inclosures in regard to discontinuance of office at Grange Camp, April 16, 1888, and the subsequent rescinding of that order, April 24, 1888.
3. Jacket and inclosures in regard to discontinuance of post-office at Grange Camp, June 25, 1890.
4. Jacket and inclosures (not acted upon) in regard to the re-establishment of the post-office at Grange Camp, July 8, 1890.
5. Postmaster Dunn-Loring to First Assistant Postmaster-General, reporting closing of Grange Camp office, June 25, 1890.
6. Letters from Hon. E. H. Conger, M. C.; Hon. E. H. Funston, M. C.; Hon. E. P. Allen, M. C.; Hon. M. B. Wright, M. C.; postmaster Alexandria, Va.; Mr. R. R. Farr, Fairfax C. H. Va.; Mr. Albert Peacock, Lewinsville Va.; and reply of Third Assistant Postmaster-General, July 16, 1890.
7. Report of Inspector Arrington, July 9, giving reasons why post-office at Grange Camp should not be re-established.
8. Letter from Hon. A. Paddock, United States Senate, to Postmaster-General, July 16, 1890.

C.—Papers in Office of Chief P. O. Inspector.
1. Report of Inspector Arrington, July 12, 1890.
2. Report of Inspector Arrington, July 31, 1890.
3. Statement of A. J. Wedderburn, June 20, 1890.
4. Statement of A. J. Wedderburn, June 24, 1890.
5. Statement of A. J. Wedderburn, to editor Star.
6. Third Assistant Postmaster-General to Chief Inspector, June 20, 1890.
7. Chief Inspector to Inspector King, July 8, 1890.
8. Inspector Arrington to Inspector King, July 12, 1890.
9. Application for admission of "Farm and Fireside" at second class rates, through Alexandria post-office.
10. Chief Inspector to Inspector King, June 21, 1890.
11. Chief Inspector to Inspector King, July 16, 1890.
12. A. Freeman to Postmaster-General, July 15, 1890.
13. Hon. A. S. Paddock, United States Senate, to Postmaster-General, July 7, 1890.
14. Reply of Postmaster-General to Senator Paddock, July 15, 1890.

D. 1.—Copy of resolution of the House of Representatives, August 16, 1890.

A.—CORRESPONDENCE IN OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., May 22, 1890.

SIR: The National Farm and Fireside was accepted for entry and mailing as second-class matter at Grange Camp, Va., November 8, 1887.

It has recently been represented to this office:

That it is printed at Alexandria, Va., and sent to Grange Camp by express, and there mailed at the pound rate of postage.

That much of the business of the publication is transacted through post-office box 33 (?), Washington, D. C.

That the legitimate circulation of the paper does not exceed from 300 to 500 copies.

That from 10,000 to 15,000 copies of each issue are being mailed, and that the so-called sample copies are paid for at the rate of 3 cents apiece by John P. Squire & Co., of Boston, Mass., who are advertisers, and are circulating it for the purpose of influencing legislation on a bill now pending before Congress.

That each issue contains a blank petition, which each reader is requested to sign and return.

That Mr. W. W. Kimball, of Boston, Mass., now in this city, is the agent of Squire & Co., and that sample copies are mailed under his direction.

That the publisher of the National Farm and Fireside mails his correspondence at Grange Camp, Va., having an arrangement with the postmaster by which he receives all the emoluments of the office in excess of an amount agreed upon, which is paid the daughter of the postmaster, who is assistant.

That the Department is being defrauded by the improper diversion to that place of business properly belonging to Washington and Alexandria.

I will thank you to cause an early and thorough investigation of all the facts in the case.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

E. G. RATHBONE, Esq.,
Chief Inspector, Post-Office Department.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 17, 1890.

SIR: The National Farm and Fireside, published at your place, has been decided by this office, after consideration of the application and papers submitted by the publishers, to be not entitled to admission into the mails at the second-class rate of postage, under the provisions of Paragraph 4, Section 328, Postal Laws and Regulations.

You are directed to inform the publishers of the action of the Department, and to require postage at the third-class rate on all copies of the publication presented for mailing at your office.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

POSTMASTER, *Grange Camp Va.*

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 17, 1890.

DEAR SIR: I beg leave to submit herewith a copy of a report of P. O. Inspector T. M. Arrington, in case of the National Farm and Fireside, a weekly newspaper that purports to be published at Grange Camp, Va. In accordance with the recommendation of the inspector the privileges of the second-class rates of postage have been withdrawn from the publication.

As this appears to be a case where the post-office has been run in the interest of the publisher of the paper, I respectfully recommend that the office be discontinued.

Very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 20, 1890.

SIR: The order sent you yesterday, withdrawing the privilege of entry as second-class matter at your office of the National Farm and Fireside, is hereby modified so far (and no farther) as to permit the publisher to mail the edition of the paper for this week.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

POSTMASTER, *Grange Camp, Va.*

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 20, 1890.

SIR: In compliance with your verbal request of yesterday I return herewith the report of Post-Office Inspector Arrington relative to the status of the National Farm and Fireside, published at Grange Camp, Va., and of the post-office at that place. I send you also copy of a report made on the 2d of March, 1888, by Post-Office Inspector W. S. Ridgely upon the affairs of the post-office at Grange Camp, which exhibits a state of things at that time somewhat similar to what is shown by the report of Inspector Arrington. It seems that shortly after the receipt by this office of Inspector Ridgely's report, namely on March 20, 1888, a copy of it was transmitted to the First Assistant Postmaster-General with a recommendation for the discontinuance of the office, and that an order to discontinue was made on the 16th of April, 1888, but rescinded ten days afterwards.

I inclose also copies of two applications made by Alexander J. Wedderburn, publisher of the National Farm and Fireside, for the entry of that paper at Grange Camp, Va., and for the entry at Alexandria, Va., of what is called the Virginia edition of the National Farm and Fireside; and although this office is not aware of any fraud in connection with these applications it may be that upon special investigation fraud will be discovered. I should be glad to have you specially investigate the status of the Virginia edition of the National Farm and Fireside, with the view of discovery whether it is advisable to exclude it from the mails as second-class matter.

There is still another paper, it seems—"The Progress"—published at Alexandria, Virginia, by Mr. Wedderburn, the status of which it might be well to inquire into.

I send also paper showing sales, cancellations, and commissions of the postmaster at Grange Camp from the second quarter of 1887 to the fourth quarter of 1889, inclusive, and suggest that inquiry be made to ascertain whether the postmaster, or his assistants or agents, have been guilty of making false returns, in order to increase the compensation of the office.

In transmitting to you the above-mentioned papers, I beg leave to call your attention to the fact that the present assistants of the postmaster at Grange Camp, a Mr. Swayze and his daughter, have, according to Inspector Arrington's report, been habitually violating the act of Congress of June 17, 1878, in selling stamps to the publisher of the National Farm and Fireside, Alexander J. Wedderburn, without requiring payment therefor in cash, an offense which is punishable by fine or imprisonment, and which would seem to be in this case of sufficient gravity to warrant a criminal prosecution of the offenders.

After the investigation is completed, I should be glad to have you communicate the result to this office.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster General.

E. G. RATHBONE, Esq.,
Chief Post-Office Inspector, Washington, D. C.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 27, 1890.

SIR: Pending a further investigation, which has been directed, into the status of your paper (the National Farm and Fireside), heretofore entered and mailed as second-class matter, the order recently issued excluding it from the privileges of second-class matter has been suspended until further notice. Since, however, the post-office at Grange Camp has been discontinued, your right to mail the paper at another post-office can be decided only through a new application.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

A. J. WEDDERBURN, Esq.,
Alexandria, Va.

WASHINGTON, D. C., *August* 13, 1890.

DEAR SIR: The letter sent by General Hazen to various members of Congress, and others who have recommended the re-establishment of the post-office at Grange Camp, Virginia, based doubtless upon the information received from the "intelligent In-

spector of the Department" to whom the case was intrusted, is so full of erroneous statements, and naturally so misleading in consequence, that I feel constrained to direct attention thereto.

Presuming from the prompt and just manner in which you acted in ordering the revocation of General Hazen's ord r to suppress my paper that you desire to act without prejudice and with entire justice, I shall ask your attention to the following facts:

The Latin motto *falsus in unum, falsus in omnibus* would certainly easily discredit the report of your "intelligent Inspector" were only one of his statements capable of contradiction; but of the fifteen reasons given for discontinuing the office it appears to me that only one is of sufficient importance to need consideration, except those which can readily be shown to be erroneous or misleading. Allow me to take up and dispose of them *Et Seriatum:*

The causes given for the action of the Department are fifteen in number, and I shall take them up and reply thereto *et seriatum:*

Charge 1. Grange Camp is neither a city nor town; is without commercial or manufacturing interests; and it is only used once a year for a fair.

Reply 1. While not a city, town, manufacturing or commercial center, Grange Camp is a pleasure-ground, used oftener than once a year.

Charge 2. It is a flag-station on a Virginia railroad.

Reply 2. Neither can its being a flag-station on a Virginia railroad affect this matter, as post-offices are frequently established outside of cities, towns, commercial and manufacturing centers, and they are also often established at flag-stations even on Virginia railroads. If the truth must be told, the large majority of fourth-class offices are located at some lonely cross-road store in the backwoods, or, worse still, in the home of some country gentleman; therefore, these reasons amount to nothing in arguing the case, except to show that probably the writer had fully and carefully studied the art of "how not to do it" when it was desired that he should not. And the assertion that a truth half told leads to incorrect conclusions holds good in this case as in others.

Charge 3. It is situated within a mile of Dunn-Loring and 1½ miles of Vienna—both post-office villages.

Reply 3. The distance is incorrectly stated. To Dunn-Loring it is 1½ miles and to Vienna over 2½ miles by county road. What constitutes a post-office village in the eyes of the writer I am at a loss to understand. Let us compare Grange Camp with the "manufacturing and commercial" center of the post-office village of Dunn-Loring, and mark the result. Dunn-Loring consists of one depot, one store and dwelling occupied, two other dwellings, one of which never has been occupied, and one other family a few hundred yards distant. When compared with the population of Grange Camp, as given below, any intelligent person can see where the advantage belongs.

Charges 4 and 5. That, besides myself, only two families were benefitted by the mail facilities, etc.; that the mail from Grange Camp, besides my own, would not exceed 2 cents per day.

Replies 4 and 5. These statements are incorrect, and must have been known to the "intelligent inspector," as is easily proven. The Williams families, Mr. Johnston, Mr. Swayzie, and my own, all white, live immediately upon the grounds or on the farms adjacent thereto. In Mr. Johnston's and my families are employed five colored persons, all of whom write and receive letters far above the ordinary average for colored persons. Mr. A. C. Williams, as secretary of the Grange Camp Association, paid in for that association last year on one voucher over $24, which alone exceeds by over 300 per cent. the amount stated by your inspector. As secretary of the District Grange of Northern Virginia my mail has exceeded $7.30 per year (which again disproves it). The personal mail of Mr. Williams is not inconsiderable, and I am confident that, leaving out my individual and Grange mail, the cancellations of the office would compare favorably with those of a large majority of fourth-class offices, if it would not rank very high in the average scale. Your inspector seems to have ignored entirely the existence of Mr. Johnston's family, and also that Mr. Swayzie (the assistant postmaster), who, together with his family of five, have resided on the ground for over eighteen months. That the inspector knew of their existence can be easily shown. He not only conversed with Mr. Swayzie, but was in his house, and certainly saw and conversed with Miss Swayzie, his daughter, and the clerk in the post-office. Was it possible, under such circumstances, for him to have forgotten their existence in his enumeration of the population of Grange Camp? Or could it have been an intentional omission, made by a man sent to see only what he wanted?

Charge 6. That of the twenty-eight signers to the petition, six belonged to the two Williams families and five to mine, and "the remainder are said to be residing within the delivery of other post-offices."

Reply 6. It may be true that six of the signers to the petition belonged to the Williams families and five to mine, but if all of these persons write and receive letters is there any reason why they should be denied proper postal facilities under an

administration which announces its avowed policy to be to accommodate the public and increase the postal facilities? Admit, for argument's sake, in passing, that some of your other charges are sufficient to warrant my punishment, is the entire community to be made to suffer for my misdeeds, real or supposed?

Having disposed of eleven of the twenty-eight signers to the petition thus summarily, the writer asserts, with his usual incorrectness, that the balance of the signers reside within the limits of other post-offices. The facts are that of the other seventeen, seven reside on the grounds, as follows: M. Diggs, J. Wilson, A. Wilson, E. Hawkins, R. Pullen, R. L. Johnston, and U. M. Johnston. The remaining ten all live nearer to Grange Camp than to any other post-office, unless one or two may be nearer to the recently-established post-office of Merrifield, viz: Messrs. Durant, Charles Taylor, T. Brent and wife, M. Brown, H. Nickens, H. Brown, and Jerre Smith. This leaves only one out of the twenty-eight not accounted for, all of whom reside within from one-quarter of a mile to 1 mile nearer Grange Camp than any other office.

Upon a cursory examination of the locality I find that there reside nearer to Grange Camp than to any other office twenty-two families, and had your inspector taken the pains he should have done, if he desired information, there would have been no trouble in his ascertaining the correctness of this statement. Of these families, ten are white and twelve are colored, not including the colored families on the grounds. That there may be no mistake as to this, I append their names as follows: The white families are those of A. C. Williams, Frank Williams, Mr. Durant, Oscar Moore, Mr. Terrett, Mrs. Hunter, Mr. Pickett, Mr. Johnston, Mr. Swayzie, A. J. Wedderburn, in all ten. The colored families are those of Mrs. Harney, Marlow Brown, H. Nickens, F. Williams, H. Brown, H. Bell, Jerre Smith, T. Bell, M. Bell, Dobie, T. Brent, Chas. Taylor, in all twelve. The last-named person resides on the Dunn-Loring farm. With few exceptions all of these persons reside within the mile limit for special-delivery letters.

Charge 7. The only person benefited by this office was myself, as the editor of the National Farm and Fireside, which I regularly sent by express to mail from Grange Camp.

Reply 7. As to being the only person served by the office, and consequently benefited thereby, the preceding paragraphs show the incorrectness of this statement.

Regarding the National Farm and Fireside being sent from Alexandria to Grange Camp, I have to say:

First. I know no law to forbid the printing of a newspaper in one place and mailing it in another. So far as I know the postal laws have been faithfully observed in its publication.

Second. For seventeen years the paper ran on in the even tenor of its way without hindrance (except on one occasion, when the Department thought I was advertising my fertilizer business too heavily; but they receded from that position on investigation), until I presumed to advocate the passage of the Conger lard bill; when suddenly the postal authorities pounced upon my paper without a word of warning, and issued an illegal and unwarranted order denying it the United States mails at newspaper rates.

When the office was established at Grange Camp, and the National Farm and Fireside entered there as second-class matter—and for many months thereafter, however, it was printed there, as well as mailed from that place—owing to reasons perfectly legitimate it was deemed best to remove the printing to Alexandria. The greater portion of the editorial work was and is still done at Grange Camp, as I reside there from April to November (which again disproves the inspector's statement that I reside most of the time in Alexandria.) I would like to know as to the objections to printing a paper in one place and mailing it at another. And, further, has the Department ruled that a paper can not be printed in whole or in part in one place and mailed from another as second class matter? If such rule exists, how does it coincide with the law, which says that agents and dealers can mail to subscribers at offices other than that of publication? If there is no such regulation, what has that to do with the matter?

Charge 8. The office was originally established upon my exertions, and the person appointed postmaster, and who continued as such until the office was discontinued, was not a resident of the place, etc.

Reply 8. It is an undisputed fact that the office was created at my request and for my benefit principally, as my written application and papers in the case will show, wherein are set forth the kind, quantity, and character of the mail to be sent therefrom; and this, after a protest from the nearest (Dunn-Loring) office and an investigation by the Department.

The idea intended to be conveyed regarding the postmaster, Mr. Luckett, is calculated to deceive if not so intended. Mr. Luckett, at the time of his appointment, *was* a resident of Grange Camp.

Charge 9. The duties of the office were performed by an employé of mine, who allowed me to get my stamps on credit.

Reply 9. There has been no attempt to deny that an employé of mine performed the duties of postmaster. If it was illegal to have sold me stamps on credit I was unaware of it, and presumed the Government only desired to get the amounts due at the end of each quarter, which the Treasurer's receipts will show have been paid.

Charge 10. That I received the emoluments of the office.

Reply 10. This appears to me to be of no concern except to the postmaster and myself, but as the office was suspended a few months after it was started on precisely the same ground (that I was its chief patron and chief beneficiary), and as the whole subject was then fully discussed, and the authorities decided that the question of the disposition of the profits of the office was one for the consideration of the postmaster and not of the Post-Office Department, and the office was at once re-established, I am at a loss to see what blame attaches either to Mr. Luckett or myself.

Charge 11. I was the absolute director of the office, and mailed my paper in unlimited quantities, "*without liability* of being questioned as to its legitimacy."

Reply 11. For years I have mailed each year several large editions of the National Farm and Fireside, and intend to do so in the future, unless a general rule is made to the contrary, applicable to other papers as well as mine. I remember eight years ago sending into Pennsylvania an edition of twenty-five thousand, advocating the election of that friend of the farmer, Governor Pattison, as my contribution to his successful canvass, and its "legitimacy" was not even then questioned.

Charge 12. That I brought "other mail matter" from Alexandria and Washington so as to swell the cancellations at Grange Camp.

Reply 12. The insinuation that I secured mail from Washington and Alexandria other than my own and that on which I paid the postage is absolutely false.

Charge 13. The receipts of the office are shown to be large enough to pay the Government during its continuance $280.79.

Reply 13. The strangest of all reasons given for the suppression of the office is the one that it was a paying fourth-class office.

The figures presented show that the Government received something every quarter. That so far from being an expense, like 75 per cent. of all the fourth-class post-offices of the country, it actually paid 19 per cent. profit.

In the thirty-eight months of its existence it paid $280.79 into the United States Treasury.

When millions have to be appropriated every year for the support of fourth-class offices, it seems remarkable that one of the few paying offices should be discontinued, while non-paying offices are allowed to continue, and are constantly being established under the rule alluded to.

Charge 14. That the receipts from mail other than mine did not average 2 cents per day.

Reply 14. This charge has been disposed of above.

Charge 15. That the whole, or nearly the whole, of the commissions paid were a dead loss to the Government.

Reply 15. This charge I also deny, for two reasons:

First, Had the large majority of the mail not been sent from Grange Camp, it would have had to be mailed from some other fourth-class post-office in this neighborhood, in which event the Government would not have received any more than it did in this case.

Second, The commissions enabled me to circulate very much more mail (which mail, by the way, was in connection with my Grange work, and not for my individual benefit) than I otherwise could have done.

Taken together, I believe the Government is a gainer rather than a loser by the transaction, as the writer tries so hard to show.

These being the facts, it hardly seems that this injustice should be permitted, as there was no intention to discontinue the office (as shown by the request for a new bond dated June 14, 1890) until the attempt was made to stop the National Farm and Fireside. And if you examine the conversation between Inspector Rathbone and myself, on June 20, 1890, you can not but see that I have strong presumptive evidence for believing that that attempt to suppress my paper was due to its advocacy of the Conger lard bill, and instigated by the opponents of that measure. The Department having found itself in the awkward position of having violated the constitutional right of the freedom of the press, in its attempt to shield itself, descends to the small expedient of trying to suppress a fourth-class post-office, which not only inconveniences myself but many others.

Yours, respectfully,

ALEX. J. WEDDERBURN.

Hon. JOHN WANAMAKER,
Postmaster-General.

Compensation of the postmaster at Grange Camp, Va., and amount of postage paid on National Farm and Fireside, mailed at that office from May 14, 1887, *to March* 31, 1890, *by quarters.*

Quarter ending—	Sales.	Cancellations.	Compensation of postmaster.	Postage on National Farm and Fireside.
June 30, 1887	$62.96	$65.83	$59.50	$9.68
Sept. 30, 1887	74.25	82.38	69.43	10.49
Dec. 31, 1887	170.98	165.43	117.71	16.15
Mar. 31, 1888	163.02	217.68	143.84	17.98
June 30, 1888	71.02	87.09	72.25	20.42
Sept. 30, 1888	179.44	189.66	129.83	17.01
Dec. 31, 1888	105.30	118.10	90.86	21.10
Mar. 31, 1889	58.46	60.64	56.38	8.48
June 30, 1889	63.12	63.28	57.97	8.09
Sept. 30, 1889	56.12	58.56	55.14	9.79
Dec. 31, 1889	95.90	97.98	78.79	3.33
Mar. 31, 1890	77.91	82.24	69.34	11.13
Total	1,178.48	1,288.87	1,001.04	153.65

Mem.—Swayze, asst. p. m., says that paper has about 500 subscribers, which would make the average *legitimate* mailing *a quarter* about 400 lbs. or less. It would thus seem that the greatest part of the papers mailed nearly every quarter have been sent as sample copies.

(Here follow five copies of the National Farm and Fireside.)

B.—PAPERS IN OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL.

[No. 1012.]

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT P. M. GENERAL,
April 7th, 1887.

New office, in the State of Virginia, county of Fairfax, to be named Grange Camp.
For P. M. Ludwell H. Luckett.
Applied for by 40 citizens.
Queries sent April 7th, 1887, to Ludwell H. Luckett, care of the postmaster at Fairfax C. H.
Queries returned April 10th, 1887, ——— and answered as follows:
It will be situated in the ——— quarter of Section ———, Township ———, Range ———. ——— Route No. ———, from Washington to Leesburgh, and will increase the distance ———.
Between the offices of Dunn Loring, 1 mile east, and Vienna, 5 miles west.
Nearest office not on route, ———.
Its distance is ——— miles in a ——— direction.
Population to be supplied, 20 families.
Number of inhabitants within village, summer resort.
Or not on any established route, but to receive special supply from ———, distant ——— miles, and supplied by ——— for ———.
(Indorsed:) No. 1012, April 7th, 1887, Grange Camp office, Fairfax County, Virginia State.
Papers to Fairfax C. H. $500 bond.
Referred to Contract Office, April 12, 1887. Contract Office returns case April 12, 1887, and reports can be supplied from R. R. route No. 11,004, provided the mails are taken to and from the post-office without expense to the Department.—Sweney.
Establish Grange Camp on route 11,004, and appoint Ludwell H. Luckett, P. M.—A. Leo Knott, Acting P. M. General.
April 22, 1887.
Hon. W. H. F. LEE.

GRANGE CAMP, VA., *April* 4, '87.

DEAR SIR: In asking for a post-office at Grange Camp it was suggested that such reasons should be given for its establishment as may seem to justify it, in view of the proximity to the offices at Vienna and Dunn Loring. I will therefore state:

First. The wagon-road to Dunn Loring is about 1½ miles; to Vienna between 2½ and 3 miles. That they are almost impassable at times, and I understand neither are public roads.

Second. There are to be published at Grange Camp, two papers; one weekly with nearly 2,500 regular circulation, and one monthly with about 500 circulation.

Third. Grange Camp hotel will be opened on May 1, as a regular summer resort and excursion grounds, and in addition to the neighborhood mail, there will be a large transit mail from the office.

Fourth. I find upon investigation, as shown by the petition annexed hereto, that over twenty families will be greatly convenienced by the office.

Fifth. The office shall not cost the Government one dollar more than the present offices would, and will add considerably to its revenue, and aid in developing and improving this section.

Sixth. If it be found necessary to erect a crane, or to go to any other expense for the purpose of establishing the office, it will be done at the expense of the management of Grange Camp.

Seventh. There is held by the association, annually, an exhibition lasting one week, at which time thousands of people gather on the grounds, and the office would be a source of great convenience to the members of the Grange Camp Association and their exhibitors and visitors.

Eighth. The District Grange of Northern Virginia have recently organized a Mutual Fire Insurance Company, and are preparing to organize a life association. The headquarters of both of these concerns will be established at Grange Camp provided this office is established.

As the various enterprises hereinbefore mentioned will necessitate considerable outlay, and will add greatly to material prosperity of the neighborhood, it is earnestly requested that the office be established at the earliest practicable moment.

Yours respectfully,

ALEX. J. WEDDERBURN,
Sec'y Grange Camp Association.

To the POSTMASTER GENERAL,
Washington, D. C.

RICHMOND AND DANVILLE RAILROAD COMPANY,
DUNN LORING STATION, *April* 8, 1887.

DEAR SIR: I am informed that Mr. A. J. Wedderburn is trying to establish a post-office at the "Grange Camp." I therefore write you to not allow the office for that place, as the Dunn Loring office is but a little over three-fourths of a mile to the Grange Camp and will answer all purposes for mail matter for the Grange Camp and would not be of any benefit to any others.

I hope you will not establish any new post-offices inside of 2 miles to my office.

I remain, yours, respectfully,

F. BRENIZERS,
Postmaster, Dunn Loring.

FIRST ASSISTANT POSTMASTER-GENERAL.

[Local. (1040.) Grange Camp Office, Fairfax County, State of Virginia.]

POST-OFFICE DEPARTMENT,
OFFICE OF FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., April 12, 1887.

Respectfully referred to the Superintendent of the Railway Mail Service for his opinion as to the name proposed.

Respectfully,

_____ _____,
Chief Clerk.

OFFICE OF THE GENERAL SUPERINTENDENT RAILWAY MAIL SERVICE,
Washington, D. C., April 12, 1887.

Respectfully returned approved.

T. E. NASH,
General Superintendent.

To the POSTMASTER-GENERAL,
Washington, D. C.:

We, the undersigned, most respectfully solicit the opening of a post-office at Grange Camp, Fairfax County, Virginia, with Ludwell Henry Luckett as postmaster.

Alex. J. Wedderburn, Grange Camp Association of Northern Virginia; Liberty Publishing Company (monthly), Patrons Mutual Fire Insurance Association, National Farm and Fireside Publishing Company (weekly), Mrs. I. S. Wedderburn, Thos. B. Critenden, Alex. J. Wedderburn, Secretary District Grange of Northern Virginia; Jno. M. Fletcher, L. H. Luckett, Mrs. Dr. Wedderburn, Gus Wedderburn, Franklin Williams, F. Williams, jr., Mrs. H. Williams, A. C. Williams, F. A. Williams, Mrs. M. F. Williams, William Durant, Chas. A. Denison, Mrs. C. A. Denison, Fannie Williams, T. A. King, Mary Haney, Lizy Bell, Harriet Bell, Reial Mabre, Margret Harrison, Jos. Frey, Harriet Brown, Francis Williams, Andrew Williams, Frank Williams, George Brandt, John E. Carter, Oscar A. Hudson, Henry Hudson, Susin Jackson, Katie West, Mrs. Hannah Hudson, Miss Missouri Hudson, Henry Vickens, Maria Vickens, Austin Cramp, George Burley.

(No. 1015.)

7TH APRIL, 1888.

Grange Camp office, Fairfax County, Virginia State, Ludwell H. Luckett, P. M., appointed 22d April, 1887.

Reasons: P. O. inspector recommends, office not needed.

Referred to contract office, 7th April, 1888. Contract office returns case 12th Apl., 1888, and reports no objection. Route 11004, Hagerty.

Discontinue, to take effect April 20, 1888.—A. E. S., First Assistant P. M. General.

Apr. 16, 1888, papers to Dunn Loring.

The order of April 16, 1888, discontinuing the post-office at Grange Camp, Fairfax County, Virginia, to take effect April 20, 1888, is hereby rescinded.—A. E. Stevenson, First Assistant P. M. General.

Recommendations.—Inspector's report recommends discontinuance.

POST-OFFICE DEPARTMENT,
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., March 20, 1888.

SIR: I have the honor to transmit herewith the report of Inspector Ridgely in the case against L. H. Luckett, postmaster at Grange Camp, Fairfax County, Va., from which it will be seen that large quantities of matter are being diverted from a presidential office to Grange Camp for a consideration and in order to increase the postmaster's compensation.

I beg leave to state that the best interest of the postal revenue demands that the Department should take prompt and earnest steps to have the practice, referred to by Inspector Ridgely, discontinued.

Respectfully, etc.,

H. R. HARRIS,
Third Assistant Postmaster-General.

Hon. A. E. STEVENSON,
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,
Grange Camp, Va., March 2, 1888.

W. P. RYAN,
Inspector in Charge:

I visited Grange Camp this date. I find the following condition of facts relating to this office. The postmaster, Ludwell H. Luckett, is only nominally postmaster. He does not reside at Grange Camp and rarely visits it. At the time of his appointment he was a traveling agent to sell phosphate for Alex. J. Wedderburn, and his name was used by Mr. Wedderburn for purpose of obtaining an office at Grange Camp, the benefits of which have chiefly inured to Mr. Wedderburn. The name of Luckett has been retained, but the office is conducted by a young man who, though

nominally assistant to Luckett, is actually the general agent of Alex J. Wedderburn. The latter gets all the cancellations and profits of the post-office. While not nominally postmaster the post-office is conducted in his interest and for his benefit. In this connection see paper filed herewith marked Exhibit B.

This being the case the solicitation of matter within the delivery of Washington post-office (D. C.), as shown by letter files herewith (marked Exhibit No. A) of Rider & Addison, of Washington, D. C., and the statement marked fourth, in answer of Thomas B. Crittenden, in Exhibit B, was in violation of the spirit of postal laws, Sec. 515. Mr. Wedderburn, while conducting this post-office at Grange Camp in the name of another person and getting sole benefit from its cancellations, has been soliciting mail matter in Washington City to be deposited for mailing at Grange Camp, and has actually received and deposited the same at the Grange Camp post-office and reaped the benefit of all the cancellations upon said mail matter so solicited and obtained.

This fact, in connection with the further fact, that the Grange Camp post-office appears to be merely a subterfuge, by means of which Mr. Wedderburn gets his mail matter through the mails at the expense of the United States and with little cost to himself, and this in large quantities, as shown by statement of the sales and cancellations marked "C," establishes a condition of affairs which is discreditable. The pretense of using the name of Ludwell H. Luckett for A. J. Wedderburn's benefit is a fraud which ought not to be permitted.

It appears from this statement, "C," that Mr. Wedderburn's cancellations in 1887 amounted to $246.64, and that the Post-Office Department carried mail matter for him to that amount during three quarters of that year without cost to said Wedderburn. In addition to this amount of stamps actually furnished to Wedderburn without cost, the expense of keeping up a post-office at Grange Camp is incurred by the Department chiefly for the benefit of Alex. J. Wedderburn. An examination of the third answer of Thomas B. Crittenden's sworn statement (marked Exhibit B), shows that besides the mailing of Alex. J. Wedderburn's mail matter the business of the office will not average more than two stamps per day or about ($3.96) three dollars and ninety-six cents per quarter. This being the case, and the further fact that post-offices are located at convenient distances on either side of Grange Camp, one at Vienna and the other at Dunn Loring, I believe that the interests of the Post-Office Department will be subserved by the discontinuance of the post-office at Grange Camp, and therefore recommend that it be discontinued.

WM. S. RIDGELY,
Post-Office Inspector.

WASHINGTON, D. C., *March* 1, 1888.

DEAR SIR: Answering your inquiry as to how some of our calendars, addressed "City," came to be mailed from "Grange Camp, Va.," we desire to say that Mr. A. J. Wedderburn requested us to let him mail them and to give him credit for the stamps on his account.

The amount credited was $5.25.

Yours respectfully,

RIDER & ADDISON.

Mr. RIDGELY.

(No. 1015.)

20 JUNE, 1890.

Grange Camp office, Fairfax County, Virginia State, Ludwell H. Luckett, P. M. Appointed 22 April, 1887.

Reasons: P. O. inspector's report recom'ds, office not needed.

Referred to contract office, 20 June, 1890. Contract office returns case June 20, 1890, and reports no objection to its discontinuance from R. R. route No. 11,004—Wm. J. Pollock.

Discontinue to take effect June 25, 1890.—J. W., *P. M. General.*

June 23, 1890.

Papers to Dunn Loring.

POST-OFFICE DEPARTMENT,
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 17, 1890.

DEAR SIR: I beg leave to submit herewith a copy of a report of P. O. Inspector T. M. Arrington, in case of the National Farm and Fireside, a weekly newspaper that purports to be published at Grange Camp, Va. In accordance with the recommenda-

tion of the inspector, the privileges of the second-class rates of postage have been withdrawn from the publication.

As this appears to be a case where the post-office has been run in the interest of the publisher of the paper, I respectfully recommend that the office be discontinued.

Very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF P. O. INSPECTOR,
Washington, D. C., June 14, 1890.

DEAR SIR: This case was made up with a view of ascertaining the fact whether or not The National Farm and Fireside, a weekly newspaper entered at the post-office at Grange Camp, Va., as second-class matter should be continued as matter entitled to such rates. In the investigation of this case a state of facts are found to exist making it necessary to treat of the management of the post-office at Grange Camp, Va., in connection with the publication of the newspaper as the two are so interwoven that it would seem hard to separate them.

The National Farm and Fireside is owned and published by Alexander J. Wedderburn, esq.; he rents box 33 in the Washington, D. C., post-office, and box 16 in the Alexandria, Va., post-office, and receives mail at both places; he lives at Alexandria, Va., during the winter, and at Grange Camp, Va., during the summer. The National Farm and Fireside is printed at Alexandria, Va., and mailed at Grange Camp, Va., to which office it is sent in boxes by freight.

Grange Camp, Fairfax County, Va., is a small station on the Washington and Ohio Railroad, though it can hardly be called a station as there is no station agent there, and the trains do not stop unless signaled. There is a post-office, and Ludwell H. Luckett is postmaster. He lives at Unison, Loudoun County, Va., 51 miles from Grange Camp. He was appointed April 22, 1887. He has never lived at Grange Camp, never performed any of the duties as postmaster, and receives none of its revenues. Mr. Alex. J. Wedderburn virtually owns, controls, and runs the post-office in his interest, as his individual property, having agreed with Mr. Luckett that he would pay the expenses of the office and the revenues were to be his. Mr. Wedderburn has been paying Miss Minnie Swayze, a daughter of Mr. W. S. Swayze, $10 per month to attend to the post-office. This he did up to the 1st of January, 1890; since then he has paid nothing, simply permitting Mr. Swayze to live in a house at Grange Camp free of rent. Both Miss Minnie and Mr. W. S. Swayze have been sworn in as assistant postmasters.

Mr. Wedderburn has stamps, etc., ordered when he desires, takes them away without paying for them, and in every way runs the office as his private property. He sends large quantities of papers, letters, and circulars from Alexandria to Grange Camp by freight, in boxes; there they are stamped and mailed.

To give you some idea of the business transacted at Grange Camp: From April 1 to and including June 5 (the date of my visit) the sales of stamps amounted to $234.26, and the cancellations to $244.53; and I will state that during this time not one dollar's worth of stamps have been sold other than those taken by Mr. Wedderburn, and there have been no cancellations of stamps other than his. Besides Mr. Wedderburn, I learn, there are only two regular patrons of the Grange Camp post-office; these are Mr. A. C. Williams and Mr. Frank Williams, two brothers. Dunn Loring post-office is only about three-quarters of a mile from Grange Camp, and Vienna only 1¼ miles, Grange Camp being between the two.

As to the mailing of the National Farm and Fireside: From April 1 to May 30, 1890 (nine issues), he mailed 2,994 pounds. I learned from Mr. Swayze, who helps his daughter to attend to the duties of the post-office, and who seems to be very familiar with Mr. Wedderburn's mode of business, that it takes about 60 pounds per week to supply the regular subscribers, or for the nine weeks, 540 pounds; the others, 2,454 pounds, were sent out as sample copies. Mr. Swayze says these papers average eight to the pound, so that 4,320 were sent to regular subscribers and 19,632 as sample copies.

On June 7 Mr. Wedderburn, at my request, called to see me. He stated that it was true that he run the office at Grange Camp; that he paid the expenses and took the revenue. He stated that the Farm and Fireside was run in the interest of agriculture. I called his attention to the fact that the two last issues, herewith inclosed, contained almost identically the same matter, and that they advocated the passage of some land bill by Congress, almost exclusively. He said, yes, when he put in what he considered good reading matter for the farmers, he kept it in his paper for some

time; and that he was advocating the passage of a bill in the interest of the Agricultural Department, and if it became a law he hoped to get a place, an appointment. I asked him about the circulation of the National Farm and Fireside, and he stated that his regular weekly edition was 5,000; that sometimes he issued as many as 15,000 copies; that he has about 2,000 paying subscribers, the rest of the issues he sent out as sample copies; that he usually sent them in Congressional districts at the request of members of Congress; sometimes they paid him for them, and sometimes he got nothing.

Under all the circumstances, I deem it my duty to recommend, first, that the post-office at Grange Camp, Va., be discontinued; and second, that the National Farm and Fireside be not allowed the privileges of second-class rates of postage.

Very respectfully,

T. M. ARRINGTON,
Post-Office Inspector.

J. D. KING, Esq.,
Inspector in Charge, Washington, D. C.

(No. 1012.)

POST-OFFICE DEPARTMENT,
OFFICE OF FIRST ASSISTANT P. M. GENERAL,
8th July, 1890.

Re-Est — in the State of Virginia, county of Fairfax, to be named Grange Camp.
For P. M., ———.
Applied for by 28 citizens.
Queries sent 8th July, 1890, to A. C. Williams, Secy., etc., care of the postmaster at Dunn Loring.
Queries returned ———, 18—, ——— and answered as follows:
It will be situated in the ——— quarter of section ———, township ———, range ———. ——— Route No. ———, from ——— to ———, and will increase the distance ———.
Between the offices of ———, ——— miles ——— and ———, ——— miles ———.
Nearest office not on route, ———.
Its distance is ——— miles in a ——— direction.
Population to be supplied, ———.
Number of inhabitants within village, ———.
Or not on any established route, but to receive supplies from ———, distant ——— miles, and supplied by ——— for ———.
(Indorsed:) (No. 1012.) 8th July, 1890. Grange Camp office, Fairfax County, Virginia State.
Papers to Dunn Loring.
Wrote Hon. Park Agnew July 31, 1890, for name of some one to serve as P. M during session of Grange Camp Association.

WASHINGTON, D. C., *July* 1, 1890.

DEAR SIR: I write to most respectfully urge the re-establishment of the post-office at Grange Camp for the following reasons:

First. The office accommodates between twenty-five and thirty-five patrons; not two, as stated.

Second. It is of immense convenience to the many visitors who meet from various States during the annual exhibition.

Third. The Grange Camp Association has a mail of between $30 and $40 a year, which is about as much as ordinary cancellations at fourth-class offices.

Fourth. One patron (Mr. Williams) mails between $20 and $30 a year at the office.

Fifth. All of the subscribers to the accompanying petition (twenty-eight in number) mail more or less matter at the office.

Sixth. The office is a mile and a quarter from the nearest post-office *by a road*—in a bee-line over marshes, branches, and through bushes or down the railroad track, it is about nine-tenths of a mile.

Seventh. During the summer, spring, and fall months I reside at the camp and my mail is important and large—and I should be accorded the same privileges as any other patron of the post-office, especially as my mail, which is not of a personal but general character, consists of more than that of any ordinary fourth-class office in the State.

Eighth. The Grange Camp Association is a chartered organization for the benefit

of promoting agriculture, and is in no sense speculative or profitable. To do away with the office will seriously inconvenience and injure the association and thereby damage the entire county.

Ninth. The summary discontinuance of the office together with the semi-official publication connected therewith, which certainly casts undue reflection upon me, seems to demand, if I am not guilty of the crimes charged, that the office should be re-established.

Hon. Park Agnew, of Alexandria, will recommend a suitable postmaster, I have no doubt, and I most sincerely hope you will kindly revoke the order for its disestablishment.

Yours respectfully,

ALEX. S. WEDDERBURN.

Hon. JOHN WANAMAKER,
Postmaster-General.

COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES,
Washington, D. C., June 23, 1890.

SIR: I beg to call your attention to the case of the post-office at "Grange," Fairfax County, Va., and urge that no change in the location of that office shall be made.

Yours very respectfully,

TH. H. BAYLY BROWNE.

Hon. FIRST ASSISTANT POSTMASTER-GENERAL,
Post-Office Department, City.

LEWENSVILLE, FAIRFAX COUNTY, VA., *June* 30, 1890.

RESPECTED SIR: Referring to the discontinuance of the post-office at Grange Camp, Va., allow me, as president of the Grange Camp Association, to say that the closing of said office will, in my belief, work a great injury to said association and through that to the people of the county.

The amount of regular business done at the office may be small, but when you consider that you have in addition to that, that of the people attending the annual fair and picnic and the mail of Grange Camp Association, all taken together make up a business as large as is done by very many small fourth-class post offices throughout the country.

It is hoped, therefore, that the matter of the re-establishment of said office may be looked upon with favor by you.

Very respectfully,

WM. B. DODGE,
President Grange Camp Association.

Hon. JOHN WANAMAKER,
Postmaster-General of the United States.

GRANGE CAMP, VA., *June* 23, 1890.

SIR: Understanding that the post-office at this place is to be discontinued upon the grounds that it is used only for the benefit of Mr. Wedderburn and two families, I desire to say that as the secretary of the Grange Camp Association, I receive considerable mail and mail a number of letters, circulars, and catalogues. The postage is considerable. During our annual exhibition, which continues a week every year, the office is of great convenience to the visitors, who come here from several States to exhibit their goods. To discontinue the office would be a serious inconvenience to the association.

Trusting that the matter may be re-opened and the office continued, I remain,

Yours, respectfully,

A. C. WILLIAMS,
Secretary Grange Camp Association.

FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C.

GRANGE CAMP, *June* 30, 1890.

FIRST ASSISTANT POSTMASTER-GENERAL,
Washington, D. C.:

We, the undersigned citizens of Grange Camp and vicinity, respectfully ask that the post-office at this place be re-established. It is a convenience to the neighborhood. Its discontinuance will be of great detriment to the Grange Camp Association.

A. C. Williams, Alex. J. Wedderburn, jr., Jerry Smith, F. Williams, Wm. Dorant, Oscar Morse, Henry Nickens, George Brent, Bell Brent, Frank Williams, jr., Charles Taylor, Charles Henry Taylor, Gus Wedderburn, Alice Wilson, Welton Williams, Mrs. F. Williams, Mrs. F. Conner, M. F. S. Williams, R. Le Grand Johnston, Mary V. Johnston, Mrs. Millie Diggs, I. S. Wedderburn, Alex. J. Wedderburn, Richard Pullum, Jerry Wilson, Mrs. Emma Hawkins, Miss M. Addison, M. B. Wedderburn.

RICHMOND AND DANVILLE RAILROAD COMPANY,
June 30, 1890.

DEAR SIR: As per your letter of June 23, in regard to closing the Grange Camp office, I have done as instructed. Office was closed June 25, 1890.

Respectfully,

F. L. BRENIZER,
Postmaster, Dunn Loring, Fairfax County, Va

J. S. CLARKSON,
First Assistant Postmaster-General, Washington, D. C.

ROOM OF COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 5, 1890.

SIR: I have known Mr. A. J. Wedderburn, of Virginia, for past three years, and have found him an upright reliable gentleman. He is an enthusiast on the subject of agriculture, and has been doing earnest and effective work in the interest of the farmers of the country.

Very respectfully,

E. H. CONGER.

Hon. JOHN WANAMAKER,
Postmaster-General.

(Indorsed:) July 15, 1890.—Wrote Hon. E. H. Conger, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., July 7, 1890.

DEAR SIR: I do not believe the post-office at Grange Camp, Va., should be discontinued. Please give the matter careful attention.

E. H. FUNSTON.

I concur.

A. L. BLISS.

I concur in the request of Hon. E. H. Funston.

JNO. H. GEAR.

(Indorsed:) July 15, 1890.—Wrote Hon. E. H. Funston, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., July 7, 1890.

SIR: I have been at some pains to ascertain the status of the Grange Camp post-office, Va., and while entirely out of my personal interests, yet I am satisfied the office is needed there and hope the way may be clear to re-establish it.

Very respectfully,

EDWARD P. ALLEN.

Hon. POSTMASTER-GENERAL.

I concur in the foregoing recommendation.

M. BROSIUS,
JOHN H. WILSON,
ROBERT M. LA FOLLETTE.

(Indorsed:) July 15, 1890.—Wrote Hon. E. P. Allen, House of Representatives, giving statement of facts in case of post-office, Grange Camp, Va. By direction of Postmaster-General.

HOUSE OF REPRESENTATIVES,
Washington, July 1, 1890.

DEAR SIR: I respectfully request that a post-office be re-established at Camp Grange, Va. I care not who may be postmaster, but for benefit of my friends who want postal facilities at that point I desire very much that this office be re-established.

This request is personal.

Yours, truly,

M. B. WRIGHT, *M. C.*

Hon. JOHN WANAMAKER.

(Indorsed:) July 15, 1890. Wrote Hon. M. B. Wright, House of Representatives, giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

UNITED STATES POST-OFFICE,
Alexandria County, Va., July 3, 1890.

DEAR SIR: The Republican county chairman (Hon. R. R. Farr) of Fairfax County agrees with me that the post-office at Grange Camp should be continued, and that it serves about as many patrons as most offices of like character in this State.

Yours, truly, etc.,

PARK AGNEW.

Hon. JOHN WANAMAKER,
Postmaster-General, Washington, D. C.

(Indorsed:) July 15, 1890. Wrote postmaster at Alexandria, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

FAIRFAX COURT-HOUSE, VA., *July* 2, 1890.

DEAR SIR: I have heard with regret that the post-office at Grange Camp, Fairfax County, Va., has been discontinued.

I am a member of the association and feel a deep interest in the success of the Camp. It is a farmers enterprise, and we meet there once a year and remain ten days or two weeks for pleasure as well as profit, and you can readily see what a great convenience the office is to the general public as well as the neighborhood.

I respectfully ask that the action of the Department be reconsidered, and that the post-office at Grange Camp be re-established.

Very respectfully, yours,

R. R. FARR.

Hon. JOHN WANAMAKER,
Postmaster-General.

(Indorsed:) July 15, 1890. Wrote Mr. R. R. Farr, Fairfax Court-House, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

LEWINSVILLE, VA., *July* 7, 1890.

The POSTMASTER-GENERAL:

As a citizen of Fairfax County, a member of the Grange Camp Association, I heartily concur in the recommendations of Hons. R. R. Farr and Park Agnew that the office at Grange Camp be re-established.

I am cognizant of the fact that this office is of great value to the association and its visitors, and as such is valuable to all the farmers of this section.

ALBERT PEACOCK.

(Indorsed:) July 15, 1890.—Wrote Albert Peacock, Lewinsville, Va., giving statement of facts in case of Grange Camp, Va. By direction of Postmaster-General.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, July 16, 1890

Respectfully referred to the First Assistant Postmaster-General's Office.

A. D. HAZEN,
Third Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., July 15, 1890.

SIR: I transmit herewith, for your information, copy of a letter this day sent from this Bureau, by direction of the Postmaster-General, to Hon. E. H. Conger, relative to the discontinuance of the post-office at Grange Camp, Va. A similar letter has been sent to each of the following-named gentlemen: Hon. E. H. Funston, Hon. E. P. Allen, Hon. M. B. Wright, Albert Peacock, Clark Agnew, R. R. Farr.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., July 16, 1890.

SIR: By direction of the Postmaster-General I have the honor to acknowledge receipt of your letter of the 7th instant, asking the re-establishment of the post-office at Grange Camp, Va., and, in reply, to give you the facts in connection with the recent discontinuance of that office, which are as follows:

The place known as Grange Camp is not a city, town, or village, nor a resort for pleasure, health, or any other purpose known to the Department, except that once a year an attempt is made to hold there an agricultural fair; it is merely a "flag station" on one of the Virginia railroads, distant but a mile in one direction from Dunn-Loring and a mile and a half in another from Vienna, both of which are post-office villages. No commercial, manufacturing, or other private business is transacted at Grange Camp, and so inconsiderable is the population in the vicinity of the station that upon a recent thorough investigation of the matter it was ascertained by an intelligent inspector of the Department that, besides the proprietor of a weekly paper nominally issued there (but which in reality is published at Alexandria, Va., where the proprietor himself mostly resides), there were only two families permanently accommodated by the post-office, and these to quite a limited extent—one of them, in fact, getting part of its mail through a rented box at the post-office at Vienna. A petition, it is true, has been recently submitted to the Department, signed by twenty-eight persons, but it appears that six of the signers of this petition are members of the two families above alluded to, five are of the Wedderburn family, and the remainder are said to be residing within the delivery of other post-offices.

The only person who was really benefited by the establishment and the continuance of the post-office at Grange Camp is Mr. A. J. Wedderburn, proprietor of the National Farm and Fireside, the paper above referred to, edited and printed at Alexandria, Va., but the issues of which for years, it seems, Mr. Wedderburn has been regularly sending by express to Grange Camp to be mailed from that post-office, the object of which will presently appear.

From the investigation made by the Department's inspector it was further ascertained that the post-office at Grange Camp was originally established through the exertions of Mr. Wedderburn, and that the person appointed to be postmaster, and who continued as such until the office was discontinued, is not a resident of the place, never rendered any returns, or performed any of the other duties of the office, never

even visited it, and, indeed, in nothing but the name was an officer of the Government.

The entire duties of the office were performed by one of Mr. Wedderburn's employés, who, with his daughter, was sworn in as assistant postmaster, and who, under an arrangement between them, allowed Wedderburn to get all his supplies of postage-stamps on credit to mail all the issues of his paper, without requiring cash payment of postage thereon—both of which acts were in violation of the plain letter of the law—and to receive all the emoluments of the office—one of the assistants being granted by Wedderburn a salary of $10 a month, payable upon the private settlement of the post-office business every quarter. In short, Mr. Weddenburn, although not an employé of the postal service, was the absolute director of the office at Grange Camp and of the assistant postmasters there, mailing his papers in unlimited quantities without the liability of any question being raised as to their legitimacy so long as his directorship continued, bringing or sending there other mail matter from Alexandria and Washington so as to swell the amount of stamp cancellations, exercising all the power of the postmaster, realizing all the benefits of the office, and being, as before intimated, almost its sole patron.

The following statement shows the receipts of the office, and the commissions allowed by the Department on the cancellations of stamps upon matter mailed at it from the time of its establishment, April 22, 1887, to the date of its discontinuance, June 25, 1890:

Date.	Receipts.	Commissions.
From April 22 to December 31, 1887	$308.17	$246.64
Year ending December 31, 1888	517.78	436.78
Year ending December 31, 1889	273.60	248.30
January 1 to June 25, 1890	396.26	283.30
Total	1,495.81	1,215.02

By this it will be seen that the total receipts of the office during the time it was in existence amounted to $1,495.81, of which $1,216.02, or 81 per cent., went to pay commissions to the postmaster. The receipts from other business than that of Mr. Wedderburn, according to the report of the post-office inspector, average a little more than 2 cents a day.

The post-offices at Washington and Alexandria, Va., from which the matter mailed at Grange Camp was diverted, are salaried offices, and the whole or nearly the whole amount of $1,215.02 paid for compensation to the Grange Camp office was therefore a dead loss to the Government.

Upon the facts developed by the inspection the post-office was discontinued by the First Assistant Postmaster-General.

Yours, very respectfully,

A. D. HAZEN.
Third Assistant Postmaster-General.

Hon. E. H. CONGER,
House of Representatives.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., July 15, 1890.

SIR: I have the honor to send you herewith copy of a report, dated the 9th inst., made by Post-Office Inspector T. M. Arrington, giving reasons why the post-office at Grange Camp, Va., should not be re-established.

Yours, very respectfully,

MADISON DAVIS,
Acting Third Assistant Postmaster-General.

Hon. J. S. CLARKSON,
First Assistant Postmaster-General.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,
Washington, D. C., July 9, 1890.

DEAR SIR: Upon a report made by me under date of June 14, 1890, the post-office at Grange Camp, Fairfax County, Va., was discontinued on June 20. I learn that an effort is being made to have this office re-established, and I deem it my duty to give to the Department more fully than I did in my first report the reasons why this office should have been discontinued, and why it should not be again established.

On April 17, 1887, a petition with forty names was filed with the Department by Alexander J. Wedderburn, esq., asking that the office be established, and that Ludwell H. Luckett be appointed postmaster. April 22, 1887, the office was established and with Mr. Luckett appointed postmaster. March 2, 1888, Post-Office Inspector William S. Ridgely visited Grange Camp (case No. 98847 C), and under that date submitted a report, upon which an order was issued April 16, 1888, discontinuing the office; this order, however, was rescinded April 24, eight days later.

Grange Camp is situated on the Washington and Ohio R. R., between the post-offices at Dunn-Loring and Vienna. The distance, as measured by the railroad from Dunn-Loring to Grange Camp, is 1 mile; from Vienna it is 1.6 miles. At Grange Camp there is held once a year an agricultural fair, from which fact it derives its name. These fair grounds contain 40 acres. The trains do not stop except upon signals, and there is no railroad agent. Near Grange Camp lives Mr. A. C. Williams and his brother, Mr. Frank Williams; they both live in the same yard. These two brothers and their families were and will be the only permanent patrons of the post-office. True, Mr. Swayze and his family are at present living on the grounds, and Mr. Wedderburn and his family live near by, but they are not permanent. Mr. Wedderburn lives in Alexandria, Va., in the winter, and keeps a box in the Alexandria post-office and one in the Washington post-office, and Mr. Swayze is only there temporarily. These four families, and no more, would be the patrons of the office. On July 2 at Grange Camp, I had an interview with Mr. A. C. Williams, who was one of the patrons of the Grange Camp office. I asked him how many patrons there would be provided the office was re-established; he could not say. I then asked him if he could tell me any others that would be besides the members of the four families I mentioned (the ones above), and he could not name one. He stated that he had been a patron of three offices, to wit: Dunn-Loring, Grange Camp, and Vienna; that he had received mail matter from all three; that he had a box in the Vienna post office that he had kept for the past fifteen years. I asked him why he kept this box if he considered himself a patron of the Grange Camp office; he said he did so for the reason that he did not know whether the office at Grange Camp would be permanent, and, besides, he was a correspondent for several newspapers, and Vienna was known as his post-office, and he did not care to change it. I told him his argument was about the strongest I had heard showing there was no necessity for the office. I then asked him, in the event the Department saw fit to re-establish the post-office, who was there that could be appointed postmaster. He replied that his name had been mentioned. I asked him if he would have the place; he said he would not, and could only answer by saying that Hon. Park Agnew would recommend some suitable person. Mr. Ludwell H. Luckett, when he was appointed postmaster, lived at Grange Camp, but left soon thereafter, and has not resided there since. I submitted to him the original petition upon which the office was established and he appointed postmaster, and he stated that he knew very few of them and did not know where they got their mail. In a statement filed by Mr. A. J. Wedderburn during this investigation he frankly states that "it was known by every one that the office was created, after careful investigation, for my benefit." I am unable to say, but it seems entirely true that the office was used for his benefit. As to the receipts of the office, I will say that for the year 1887 the sales were $308.17, the cancellations $303.64, and the commissions were $246.64; for the year 1888, sales $517.78, cancellations $608.53, and the commissions $436.78; for 1889, sales $273.60, cancellations $280.46, and commissions $248.30; for 1890, to June 25, sales $396.26, cancellations $442.20, and commissions $283.30. So that it will be seen from the establishing of the office, April 22, 1887, to the date of its discontinuance, June 25, 1890, the commissions have amounted to $1,215.02. All of this time Ludwell H. Luckett has been postmaster, and has never received one cent as such, all of the pay going to A. J. Wedderburn. The receipts of the office have been almost entirely from Mr. Wedderburn's mail, shipped there for mailing by him from Alexandria and some from Washington. In the report made by Inspector Ridgely, above referred to, he submitted a sworn statement, made by Thomas B. Crittenden, who was at that time in charge of the office and in the employ of Wedderburn, in which he stated that besides Wedderburn's mail the business of the office would not amount to more than two stamps per day. January 29, 1887, Mr. Wedderburn employed Miss Minnie Swayze to run the office for him, agreeing to pay her $10 per month, with the understanding that all she received at the office other than his mail was to be in part of her salary; so that she kept an accurate account of the receipts, and from January 29 to December 31, 1889, the receipts were

$11.97; from January 1 to June 25, 1890, they were $2.59. In my opinion the public interest does not demand an office at Grange Camp, and it should not be re-established.

Very respectfully,

T. M. ARRINGTON,
Post-Office Inspector.

J. D. KING,
Post-Office Inspector in Charge, Washington, D. C.

COMMITTEE ON AGRICULTURE AND FORESTRY,
UNITED STATES SENATE,
Washington, D. C., July 16, 1890.

SIR: I beg to acknowledge the receipt of your communication of the 15th inst. relative to the discontinuance of the post-office at Grange Camp, Va., and to which matter I called your official attention on the 7th inst., specifically stating that on the basis of certain other letters presented by Mr. Wedderburn I trusted that you could see your way clear to continue that office.

I have no desire to receive further information of the investigation which you state is still in progress. The reasons furnished for the discontinuance of the office seem to me ample for your decision in the matter.

Very respectfully,

A. S. PADDOCK,
United States Senate.

HON. JOHN WANAMAKER,
Postmaster-General, Washington, D. C.

C.—PAPERS IN OFFICE OF CHIEF POST-OFFICE INSPECTOR.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,
Washington, D. C., July 12, 1890.

DEAR SIR: This case was made up for the purpose of investigating the status of the National Farm and Fireside, a paper claiming to have its publication office at Grange Camp, Fairfax County, Va., with a view of ascertaining the legitimate subscription list to said paper, and also to report upon the fact whether it should be mailed as second-class matter at the pound rates of postage. This investigation has developed a state of facts in connection with the Grange Camp post-office, the publication of the National Farm and Fireside, and Alex. J. Wedderburn that seems to be without a parallel in the history of the Department.

On the 9th inst. I reported upon the post-office at Grange Camp, and in this I shall as closely as possible confine myself to the National Farm and Fireside, and later I will submit a report upon Mr. Wedderburn.

The National Farm and Fireside, published by Alex. J. Wedderburn, is a weekly newspaper, that has been printed and published at Alexandria, Va., entered as second-class matter, and mailed at Grange Camp, Va., and bearing the name of Washington, D. C., on the front page, seemingly for the purpose of creating the impression that it was a Washington paper. As to the subscribers to the paper, Mr. W. S. Swayze, who has been familiar with the mailing of the paper, having been attending to the post-office at Grange Camp weighing and mailing the papers, informed me on June 5 that about 60 pounds of each issue were sent to subscribers, or those supposed to be, and a much larger number mailed every week as "sample copies;" for illustration, from April 1, 1890, to May 30, 1890, there were sent out nine issues, aggregating 2,994 pounds; for the nine issues it would take 540 pounds for the subscribers, and the balance, or 2,454 pounds, were sent out as "sample copies." I weighed some of these papers, and it takes about sixteen to make a pound, so that while 960 copies were sent to subscribers 4,362 copies were mailed as "sample copies" each week. Mr. Wedderburn stated to Major Rathbone in an interview on June 20, to the question, "How many subscribers have you?" that "There are some 2,000 on the books; I will say over 500." Question: "How many sample copies do you send out per month?" Answer: "When Congress is not in session we send very few; when it is in session we send as many as we can dispose of;" and stated that of one issue he had sent out as many as 25,000 copies. He further stated that "it (the paper) belongs to John J. Nicholson & Sons, of Baltimore; I run it for them;" and that he had never printed less than 2,000 copies. In a statement filed by Mr. Wedderburn in

this office on July 7, 1890, he says his regular subscribers are 304; to exchanges, advertisers, complimentary, and to officers of the State Granges, 297; and to Congressmen and Senators 404; making a total of 1,005. These 404 to members of Congress and Senators he states are all paid for, but when asked who paid for them he declined to say. So that from his own statement he sends out from 2,000 to 25,000 copies each issue, and his actual *bona fide* subscribers, who themselves take his paper and pay for it, amount to just 304; now adding to these the 404 that are sent to members of Congress and Senators, we have 708, all that he claims are paid for. On June 25 the post-office at Grange Camp was discontinued, but upon the order issued June 28, 1890, signed by Hon. A. D. Hazen, Third Assistant Postmaster-General, Mr. Wedderburn has been permitted to mail his paper at Alexandria, Va. July 5, 1890, he mailed 70 pounds, purporting to be to the regular subscribers, and on July 8, 1890, he mailed 253 pounds as "sample copies," all addressed to parties living in the State of Louisiana. The subscription price of this paper is $1 per year, and the number sent to subscribers is so small as compared to the number sent as "sample copies" that it would seem that the paper is being published at nominal rates, and is therefore not entitled to the privileges of second-class rates under the rulings that have heretofore been governing the Department. Paragraph 4 of section 328, Postal Laws and Regulations, requires a paper to have a legitimate list of subscribers, and that it must not be "designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates" (act of March 3, 1879, sec. 14, 20 Stats., 359). Following paragraph 4 of section 331, Postal Laws and Regulations, in defining the meaning of section 328, "The question whether a publication is primarily designed for advertising purposes is one of fact, to be determined in each case from the evidence" (16 Opins. Atty. Gen., 303), and in doubtful cases the Department will judge from the appearance and matter in the publication the price and amount derived from subscripion, "the number of subscribers in proportion to the issue," * * * "or if the circulation be principally gratuitous, and the list of subscribers so small as to appear only a nominal list, secured merely to bring the publication within the pound rates," * * * "it may reasonably be deemed to be designed primarily for advertising purposes" (Paragraph 4 of section 340, Postal Laws and Regulations.) "After a publication has been admitted to second-class rates the continuous mailing of sample copies in numbers exceeding the issue to regular subscribers * * * will be deemed evidence that the publication is primarily designed for advertising or free circulation." Mr. Wedderburn stated that the only interest John J. Nicholson & Sons had in his paper was that they were his financial backers. Still he has stated to me that he could not have published his paper had he not been allowed the privileges and revenues of the post-office at Grange Camp, Va. He also made a similar statement to you in the presence of Colonel Helm. This would show that while he claims Nicholson & Sons as his financial backers, the Post-Office Department, innocently, has been in reality furnishing him the means to run his paper. Surely it can not be the policy of the Department to establish post-offices for the sole benefit of one man, and thereby enable him to publish a newspaper, in effect offering a subsidy for that purpose. Should this be so, there is no telling how far it may be abused, and it would be setting a precedent that would in all probability be taken advantage of by other publishers who are unable financially to run their papers.

Very respectfully,

T. M. ARRINGTON,
Post-Office Inspector.

J. D. KING, Esq.,
Inspector in Charge, Washington, D. C.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,
Washington, D. C., July 31, 1890.

DEAR SIR: Grange Camp post-office, Fairfax County, Va., was established April 22d, 1887, upon a petition signed by forty names which is herewith inclosed. This petition was filed with the Department April 7, 1887, by Alex. J. Wedderburn. Ludwell H. Luckett, a man in the employ of the said Wedderburn, was appointed postmaster. Since this office was established to the date of its discontinuance, June 25, 1890, it has been in charge of the following persons: Ludwell H. Luckett, John M. Fletcher, Thomas B. Crittenden, Graham Hill, W. S. Swayze, and Miss Minnie Swayze, all in the employ of the said Wedderburn.

Ludwell H. Luckett, the postmaster, remained at Grange Camp about four months in the early part of 1887. He then moved to Union, Loudoun Co., Va., where he has since resided, retaining all the time the position of postmaster at Grange Camp in name, permitting Mr. Wedderburn to suggest who he wanted to act as assistant postmaster and to run the office. Of the above-named parties who have at different times

had charge of the post-office, Ludwell H. Luckett, John M. Fletcher, Thomas B. Crittenden, and Graham Hill were regularly in the employ of the said Wedderburn, and attended to the post-office as a part of their regular duties, and received no extra compensation for attending to the duties of the post-office or any of the revenues of the said office.

January 29, 1889, W. S. Swayze and his daughter, Miss Minnie Swayze, assumed charge of the office, and Wedderburn agreed to pay Miss Minnie Swayze the sum of $10 per month to run the office. This sum he paid to October 29, 1889 (nine months); from this time to June 25, 1890, he paid nothing, except to allow Swayze and his family to live in a house on the Grange Camp fair grounds free of rent. From April 22, 1887, to June 25, 1890, Alex. J. Wedderburn has received the entire revenue of the office, amounting to the sum of $1,215.02. In the agreement between Mr. Wedderburn and Miss Swayze she was to keep an account of all matter mailed at the Grange Camp office other than that mailed by Mr. Wedderburn, and it was to be a part of her salary going towards making up the $10 per month that he was to pay her. In her affidavit she swears the amount she received from January 29, 1889, to December 31, 1889, was $11.97, and from January 1, 1890, to June 25, 1890, it was $2.59, or for the seventeen months she was in charge $14.56; about 86 cents per month. This would make the legitimate revenues of the office from the date of its establishment, April 22, 1887, to its discontinuance, June 25, 1890, over three years, about $32.30. I feel sure from the surroundings and the patrons (which will be shown later) that this is a liberal estimate. Mr. Wedderburn received $1,215.02; the legitimate receipts would have been $32.30; showing that he has received the sum of $1,182.42 illegitimately.

Grange Camp is situated on the Washington and Ohio Railroad, between Dunn Loring and Vienna. The distance from Grange Camp to Vienna post-office is 1.6 miles; from Dunn Loring post-office 1 mile, and from Maryfield post-office 2½ miles (see diagram Exhibit A). At Grange Camp there is held once a year an agricultural fair, from which it derives its name. These grounds contain 40 acres. Grange Camp can hardly be called a railroad station, for the reason that there is no agent and no trains stop unless they are signaled. There is no business of any kind carried on except for one week in the year when the fair is being held. In about one-fourth of a mile lives two brothers, A. C. Williams and Franklin Williams. They are farmers and live in the same yard. The two Williams brothers and their families were the only regular patrons of the Grange Camp post-office. This is not only shown by a personal observation (for I walked over the ground from Dunn Loring to Vienna), but is sworn to by both W. S. Swayze and Miss Minnie Swayze (Exhibits B and C). This does not include Swayze and his family, as they are not permanent, or Wedderburn and his family, as they only reside at Grange Camp during the summer, their residence being in Alexandria, Va. Mr. A. C. Williams, who is mentioned as having been one of the patrons of the Grange Camp post-office is, in fact, and has been all the time a regular patron of the Vienna office. He informed me that he had a box in that office and had kept it for the past fifteen years. He had not changed it to Grange Camp for two reasons; the first was that he did not know that the office at Grange Camp would be permanent, and the second was that both his wife and himself were correspondents for several newspapers, and Vienna was known as their office, and he did not care to change it. I told him his argument was very strong, showing there was not necessity for the office at Grange Camp (special report under date of July 9, 1890).

Of the forty names signed to the petition upon which the post-office was established only fourteen were ever patrons. These were members of the families of the two Williamses and Wedderburn and those employed by them (Exhibit D).

Ludwell H. Luckett, who was the only postmaster ever appointed at Grange Camp, swears that he never received one cent of the emoluments of the office, and that he took the appointment simply through the request of Mr. Wedderburn, who had been very kind to him (see Exhibit E). The post-office at Grange Camp has been controlled by and run almost exclusively in the interest of the said Alex. J. Wedderburn; in fact in a statement filed by him, which is herewith inclosed, he states that "it was known by every one that the office was created after careful investigation for my benefit." Nearly all the matter mailed at Grange Camp has been carried or shipped there by the said Wedderburn, stamps have been put upon his mail without any payment therefor. He has published the National Farm and Fireside, a weekly newspaper, at Alexandria, Va., and shipped it there by freight, from which office it was sent as second-class matter at the pound rates. He sent large quantities of letters and circulars there to be mailed. Upon all of these the postage would be put at Grange Camp, and he paid for none of the stamps, thereby causing (I think innocently) the officials who were acting for him and in charge of the office to violate the act of Congress of June 17, 1878 (sec. 174 P. L. and R.), and violating, himself, sec. 5451 of the Revised Statutes of the United States, in that he was paying a Government official (Miss Swayze) to commit a crime, or fraud, against the laws of the United States. Wedderburn would at the end of each quarter deposit a sum due the United States as shown by the quar-

terly statement. This is all he ever paid. He has, in my opinion, also violated sec. 5475 of the Revised Statutes of the United States, in that he has used this post-office and the property of the post-office Department (stamps) for his convenience, and has appropriated the same to his own use to the detriment of the Government and of the public service.

Mr. Wedderburn has also solicited matter in the city of Washington to be mailed at Grange Camp, stating that he received 60 per cent. for so doing. See statement made by Mrs. Charlotte Smith (Exhibit F). This she stated to me, after reading it over to her several times, was absolutely correct, but refused to sign it and swear to it, saying she did not wish to get Mr. Wedderburn into any trouble. (Mrs. Charlotte Smith is the editor of a paper published in the city of Washington, known as the Working Woman.)

The National Farm and Fireside, the paper published by Mr. Wedderburn, to which reference has already been made, has been printed at Alexandria, Va., entered as second-class matter and mailed at Grange Camp, Va., and bearing the name Washington, D. C., on the front page, seemingly for the purpose of creating the impression that it was a Washington paper.

As to the subscribers to the National Farm and Fireside in a statement filed by Mr. Wedderburn (Exhibit G) he says his regular subscribers are 304. He sends to exchanges, advertisers, complimentary, and to the officers of state granges 297, and to Congressmen and Senators 404, making a total of 1,005. These 404 to the members and Senators he claims are all paid for but refused to say who paid for them. It will therefore be seen from his own statement that he has just 304 actual bona fide subscribers who take his paper and pay for it themselves. In an interview with Major Rathbone, Chief Inspector, on June 20, Mr. Wedderburn stated that he never printed less than 2,000 copies of his paper and sometimes as many as 25,000 copies. All of the copies of the National Farm and Fireside over and above those sent to subscribers, and the ones mentioned above, are sent out as sample copies, and this is done every week, the sample copies always exceeding the subscription list. Since the discontinuance of the Grange Camp post-office, the National Farm and Fireside has been mailed at Alexandria, Va., under an order dated June 28, 1890, signed by the Hon. A. D. Hazen, Third Assistant Postmaster-General. On July 5 he mailed 70 pounds purporting to be to subscribers, and on July 8 he mailed 253 pounds as sample copies, all addressed to parties in the State of Louisiana, so it will be seen that of this issue he mailed three and a half times as many as sample copies as he did to his subscribers. In sending out his paper as he has, it would seem to me that Mr. Wedderburn has clearly violated paragraph 4 of section 328, P. L. and R., the clause following paragraph 4 of section 331 P. L. and R., and paragraph 4 of section 340 P. L. and R. (Special report under date of July 12, 1890.)

My conclusions are that Grange Camp post-office should not be re-established; the National Farm and Fireside should not be permitted to be sent through the mails at second-class rates, and that Alex. J. Wedderburn should be prosecuted for the violation of sections 5451 and 5475 of the Revised Statutes of the United States.

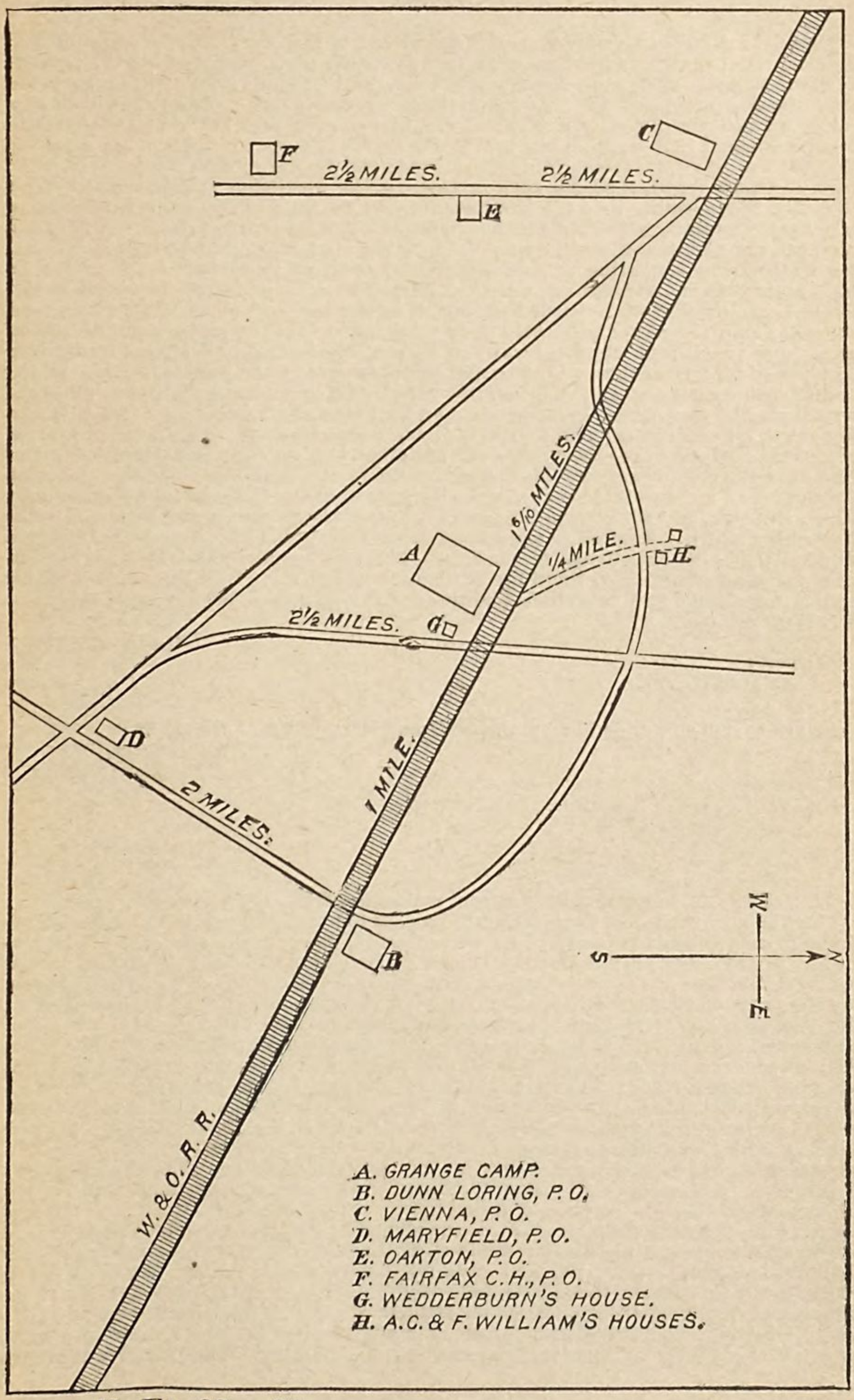
I am, very respectfully,

T. M. ARRINGTON,
Post-Office Inspector.

J. D. KING, Esq.
Inspector in charge, Washington, D. C.

EXHIBITS IN CASE NO. 121527, C., GRANGE CAMP, VA.

A.



B.

Statement made by Miss Minnie Swayze at Grange Camp, Fairfax County, Va, July 17, 1890.

That she came to Grange Camp, Va., with her father, W. S. Swayze, in December, 1888; that her father came at the suggestion and request of Mr. A. J. Wedderburn to take charge of the Grange Camp Fair Grounds; that on January 29, 1889, she was employed by Mr. Wedderburn to take charge of the post-office at a salary of $10 per month, Mr. Wedderburn agreeing to pay her that sum; it was also understood that what money that was taken in the post-office was to be a part of the $10, and that Mr. Wedderburn was to pay the balance; that from January 29, 1889, to December 31, 1889, she took in cash in the post-office amounting to $11.97; that Mr. Wedderburn paid the balance, making the $10 per month to some time in October, 1889, since which time he has paid nothing. From January 18, 1890, to June 25, 1890, she took in cash in the post-office, $2.59; that Mr. Wedderburn would send his mail matter consisting of newspapers, letters, and circulars to the post-office by freight and individuals coming from Alexandria, Va., weekly, to be mailed at Grange Camp; that she regarded herself as in the employ of Mr. Wedderburn and did what he directed her to do with the mail matter; that the postage was all put on at Grange Camp from stamps furnished by the Department; that Mr. Wedderburn never paid for any of them; that he had entire control of the post-office, and at the end of each quarter, when the quarterly statement was rendered the Department, he would usually deposit the balance due, and that was all he ever paid. He never, in fact, paid for any of the stamps, either for his newspapers or for his letters or circulars; that soon after she took charge of the office she thought she ought not to let him have the stamps without his paying for them, and sent him word that he must pay for them, and he stated that it was all right; that the Department understood it; that an inspector had been to Grange Camp and they (meaning the Department) knew all about it. That since she took charge of the post-office, January 29, 1889, to June 25, 1890, the date it was discontinued, the only regular patrons of the Grange Camp post-office were Mr. Franklin Williams and Mr. A. C. Williams (two brothers living in the same yard) and their families, besides, of course, her father's family and Mr. Wedderburn.

MINNIE SWAYZE.

Witness:
A. M. SWAYZE.

Sworn to and subscribed before me, at Grange Camp, Va., July 17, 1890.

T. M. ARRINGTON,
Post-Office Inspector.

C.

W. S. SWAYZE, being first duly sworn, makes the following statement, to wit:

That he now resides at Grange Camp, Fairfax County, Va.; that he moved there from Prince William County, Va., December 14, 1888, at the earnest solicitations of Mr. A. J. Wedderburn, to assume charge of the Grange Camp fair grounds; that when he first came to Grange Camp a young man in the employ of Mr. Wedderburn, by the name of Graham Hill was in charge of the post-office; that on January 29, 1889, his daughter, Miss Minnie Swayze, and himself assumed charge of the post-office and were in charge of the same until the office was discontinued June 25, 1890; that Mr. Wedderburn agreed to pay Miss Minnie Swayze $10 per month for her services in running the post-office; that the post-office was run under the direction of Mr. Wedderburn; that he had entire control of it; that he sent his mail matter to the post-office regularly to be mailed by freight from Alexandria, Va., sometimes by persons coming from Alexandria to Grange Camp; that this mail matter consisted of letters, circulars, and newspapers, sometimes in very large quantities; that the necessary postage was put on this mail matter at Grange Camp from stamps furnished by the Department; that his daughter objected to this unless the stamps were paid for, and Mr. Wedderburn stated to him that it was all right; that the Department understood all about it; that during this time Ludwell H. Luckett was postmaster; he resided at Unison, Loudoun County, Va., and gave no attention to the office, having nothing whatever to do with it; that his daughter and himself took charge of the office at the request of Mr. Wedderburn. That on October 29, 1889, a settlement was had with Mr. Wedderburn, and he paid $90 for nine months' services for Miss Minnie in attending to the post-office. Since that date he has paid nothing. That Mr. Wedderburn

never paid for any of the stamps, the postage on his mail; that at the end of each quarter he would deposit the amount due the United States, and that was all he ever paid; that upon one occasion Mr. Wedderburn remarked that we ought to have the Government owing us sometimes; that the post-office at Grange Camp was on the Washington and Ohio Railroad, about three-fourths of a mile from the post-office at Dunn Loring, and 1¼ miles from the post-office at Vienna, and about 2 miles from the post-office at Maryfield. That there is no station agent at Grange Camp and trains do not stop except upon being signaled; that the regular patrons of the Grange Camp post-office were A. C. Williams, Franklin Williams, A. J. Wedderburn, and himself and their families, and these would be all if the office was again established.

W. S. SWAYZE.

Witness:
WM. J. MAXWELL.

Sworn to and subscribed before me in Washington, D. C., July 21, 1890.

T. M. ARRINGTON,
Post-Office Inspector.

D.

Names to the petition filed in the Department April 17, 1887, upon which the post-office at Grange Camp was established.

Names.	Present post-office.	Remarks.
Alexander J. Wedderburn	Washington and Alexandria	
Mrs. I. S. Wedderburn	do	Wife of A. J. Wedderburn.
Thomas B. Crittenden	West Point, Va	Was printer for A. J. Wedderburn.
John M. Fletcher	Baltimore, Md	Do.
L. H. Luckett	Unison, Va	Was at Grange Camp four months in the employ of Wedderburn.
Mrs. Dr. Wedderburn	Alexandria, Va	Mother of A. J. Wedderburn.
Gus Wedderburn	Washington and Alexandria	Son of A. J. Wedderburn, sixteen years old when he signed petition.
Franklin Williams	Vienna, Va	Lives near Grange Camp.
F. Williams, jr	do	Son of Franklin Williams.
Mrs. H. Williams	do	Wife of Franklin Williams.
A. C. Williams	do	Brother of Franklin Williams.
F. A. Williams	do	Mother of Franklin Williams.
Mrs. M. F. Williams	do	Wife of A. C. Williams.
William Durant	do	Has been all the time.
Charles A. Denison	do	Do.
Mrs. Charles A. Denison	do	Do.
Fannie Williams	Washington, D. C	Daughter of Franklin Williams.
T. A. King		Not known,
Mary Haney (col.)	Vienna, Va	Has been all the time.
Lizzie Bell (col.)	do	Do.
Harriet Bell (col.)	do	Do.
Reial Marler (col.)		Dead; post-office was Vienna.
Margaret Harrison	Vienna, Va	Has been all the time.
James Frey (col.)	do	Do.
Harriet Brown (col.)	do	Do.
Francis Williams (col.)	Dunn Loring, Va	Do.
Andrew Williams (col.)	do	Do.
Frank Williams (col.)	do	Do.
George Brandt (col.)	Pittsburgh, Pa	
John E. Carter (col.)	Vienna, Va	Has been all the time.
Oscar A. Hudson (col.)	Not known	
Henry Hudson (col.)		Dead, did live with A. C. Williams.
Susin Jackson (col.)	Vienna, Va	Has been all the time.
Katie West (col.)	do	Do.
Mrs. Hannah Hudson (col.)	Dunn Loring, Va	Do.
Miss Missoura Hudson (col.)	Somewhere in Massachusetts	
Henry Nickens (col.)	Lewinsville, Va	Has been all the time.
Maria Nickens (col.)	do	Do.
Austin Crump		Not known.
George Beverly (col.)	Somewhere in Pennsylvania	Was at Grange Camp a short time.

The only signers to this petition that received their mail at the Grange Camp post-office were those of the two Williams families and Mr. Wedderburn and those in his employ, in all, 14.

This information was obtained from F. L. Brenizer, postmaster at Dunn Loring, A. C. Staats, postmaster at Vienna, and Miss Minnie Swayze, assistant postmaster at Grange Camp.

Of the 40 petitioners, just one-half are colored people.

E.

In connection with the post-office at Grange Camp, Fairfax County, Va., Mr. Ludwell H. Luckett, the late postmaster, makes the following statement: That at the time of his appointment as postmaster he was living at Grange Camp. This was in the spring or early in the summer of 1887. That he continued to reside at Grange Camp for a few months thereafter. He then moved to Unison, Loudoun County, Va., where he has since resided. Unison is about 25 or 30 miles from Grange Camp. When he left Grange Camp in 1887 John M. Fletcher, an employé of Mr. A. J. Wedderburn, was in charge of the post-office. After Mr. Fletcher left Grange Camp Mr. Graham Hill had charge of the office. Hill was also in the employ of Mr. A. J. Wedderburn. After Hill, Mr. W. S. Swayze and his daughter, Miss Minnie Swayze, have had charge of the post-office. That he has never had any direct benefit from the post-office; has never received any of its revenue; that he took the appointment at the request of Mr. A. J. Wedderburn who had for several years been a friend of his, and he was glad to be of service to him; that it was understood between himself and Mr. Wedderburn that Mr. Wedderburn was to have charge of the post-office, pay the expenses, and have what the office paid; that Mr. Wedderburn always suggested who he wanted to be in charge of the office and he had appointed them. That he has given the office no personal supervision since he left Grange Camp in 1887. That he knew Mr. Wedderburn was printing his paper in Alexandria and mailing it at Grange Camp, but he thought it was all right; in fact had given it very little thought. That he does not know how many patrons the office has had. After examining the petition upon which he was appointed postmaster Mr. Luckett states that he does not know very many of them, and does not know where they get their mail. Not having attended to the post-office in person, he is unable to say just where they get their mail or how many of them that were patrons of the Grange Camp office. After Mr. Fletcher had charge of the office and before Mr. Hill took charge Mr. Thomas B. Crittenden had charge of the office for a short time; he was also in the employ of Mr. Wedderburn. That when he was appointed postmaster he was in the employ of Mr. Wedderburn.

Q. Now, Mr. Luckett, I desire to ask you plainly whether or not you and Mr. Wedderburn ever entered into any agreement by which you were to take the appointment as postmaster and he was to look after the mailing of his matter and that of others, with a view of increasing the revenue for his benefit?—A. No, I never entered into any such agreement.

Q. Why did you take the appointment as postmaster?—A. I took it simply through the request of Mr. Wedderburn, who had been very kind to me and I was glad to do any thing I could for him in return.

Q. Do you know how much money Mr. Wedderburn has made out of the post-office? A. I do not; have no idea.

Q. How long did you reside at Grange Camp?—A. About four months, I think, in 1887.

Q. Did you and Mr. Wedderburn ever make any agreement by which he was to pay the expenses of running the office and he to have the revenue?—A. No, we made no such an agreement; but I supposed if there was any revenue he was receiving it. I never gave the matter a thought.

Q. Did you know that the office was being used by Mr. Wedderburn solely in his own interest and that by bringing his mail from Alexandria to mail in the Grange Camp office he was defrauding the Government?—A. No; I did not have any knowledge of this, and if I had known of it I should have at once reported it. If I had known anything was wrong I should have at once let the Department know it.

Q. Did you know that Mr. Wedderburn was using the stamps from the post office and not paying for them?—A. I did not.

L. H. LUCKETT.

Sworn and subscribed to before me, at Grange Camp, Va., July 2, 1890.

T. M. ARRINGTON,
Post-Office Inspector.

F.

Mrs. CHARLOTTE SMITH states that some time in March, 1890, she appeared before the House Committee on Agriculture and submitted an argument in the interest of pure and unadulturated food, etc.; that soon thereafter Mr. A. J. Wedderburn came to her and requested that she have her address printed and distributed through the mails, saying at the time that he would pay all expenses; this she agreed to do and went to considerable expense in printing, etc.; that she bought about $10 of postage-

stamps and sent off one lot by mail; that when she presented the bill to Mr. Wedderburn he seemed to get mad and refused to pay the $10 that she had paid for postage, giving as his reason that he desired to mail the letters himself at a post-office he had out from Alexandria, Va.; that he could have gotten sixty per cent. of the postage by mailing them there; that he did not want her to mail any more, but to give them to him; that after this she did give him one lot to mail and he took them away with him—about two hundred letters.

July 16th I called upon Mrs. Charlotte Smith, and she made the statement herewith attached, to me. I called again on July 19th, and requested her to sign and swear to the same. I read it over very carefully to her and made one change that of buying the stamps at the Senate post-office, at her suggestion, and then read it over again to her, and she stated that it was correct in every particular, but refused to sign it, saying that she did not want to get Mr. Wedderburn in any trouble; that Colonel Dudley was her friend, and she would talk to him about it. She stated that Wedderburn called upon her yesterday, and paid her the balance he owed her. She was quite abusive in talking about the postal officials, from the Postmaster-General to the charwomen.

T. M. ARRINGTON.

JULY 19, 1890.

G.

WASHINGTON, D. C., *July* 7, 1890.

An accurate count of my mail book shows as follows:

Regular subscribers	304
Exchanges	45
Advertisers	14
Complimentary	78
	441
Congressmen and Senators (all paid for)	404
Officers of State Granges	160
	1,005

ALEX. J. WEDDERBURN,
Publisher National Farm and Fireside.

Statement made by Alex. J. Wedderburn, June 20, 1890, in Chief Inspector's Office.

Alex. J. Wedderburn, editor and publisher of the National Farm and Fireside, called at my office to-day and made the following statement:

Mr. WEDDERBURN. The trouble I had was this. There was no reason for investigation. I am perfectly willing to go into all that. I had at least 1,000 or 1,500 subscribers on my book, and quite a number of subscribers all over the United States. It puts me in an awful fix.

Mr. RATHBONE. There is one thing I do not understand, and I would like to have you explain it to me, and I am glad that you have called.

The Post-Office Department appointed a postmaster down there some two or three years ago, who resides 51 miles away from Grange Camp; he has no control over the office whatever; and you employ some lady down there—a Miss Swazie, I believe—to take charge of the office. You pay her $10 a month (or have been until January, since which time you have been giving her house-rent in lieu of her services). This postmaster has no more control over that office than a man in China; and you seem to be controlling it and running it, and, as I understand, you get the profits. Am I right?

Mr. WEDDERBURN. Yes, sir. Let me tell you the whole thing: I came here to this Department about three years ago; I went to see Mr. Haynie, who was chief clerk. I was introduced to him; I made a statement to him. I saw the First Assistant Postmaster-General. I had letters of introduction to him, and told him very plainly that I was going out there in the country and wanted to run this post-office, and that I wanted Mr. L——, who was superintendent of the grounds, and who was in my employ, to be appointed postmaster. He asked me to get recommendations, and I did so. He hesitated about making the appointment, and asked me to write a letter, and I sat down and wrote a letter and stated everything I stated to Mr. Haynie—everything. They then made the appointment, and he stayed there about five or six

months, and when he went away Mr. Thomas B. C——— was appointed postmaster. He ran the post-office as his assistant, and Mr. H——— as a clerk. I made arrangements with Mr. S——— to go and take charge of the grounds and run the hotel. I did not divide the profits. I guarantied that out of the post-office he should get $10 a month. I gave him up to the first of January——

Mr. RATHBONE. I understand, further, that there are but two patrons of that office outside of yourself—two brothers; and that, on one side a post-office is only three-quarters of a mile from your office, and on the other side, a mile and a quarter.

Mr. WEDDERBURN. That is a mistake.

Mr. RATHBONE. What is the nearest office?

Mr. WEDDERBURN. It is nine-tenths of a mile, Dunn Loring. It is about a mile and a quarter if you walk it, and by the railroad it is nine-tenths of a mile.

Mr. RATHBONE. What is the nearest office on the other side?

Mr. WEDDERBURN. Vienna; about two miles by going around the road.

Mr. RATHBONE. How many patrons are there of the Grange Camp post-office?

Mr. WEDDERBURN. I can not answer that, sir; I do not know, because I never had anything——. When I started that post-office I went right in the neighborhood, and you will find here an application for that post-office signed by over thirty (I started to say over forty, but I am positive it was over thirty people.)

Mr. RATHBONE. Patrons of that office?

Mr. WEDDERBURN. I do not know how many of them got their mail there. The application was to have the post-office established there.

There is another point in connection with this: We have our Grange Camp Association fair, which runs for a week; and it is a very great advantage to people who come from all over the country to get their mail. In addition to that, as I stated in my letter, I had all this Grange Camp literature to send out, and I sent it out accordingly.

Personally, I have not derived any benefit. This question arose under Mr. Haynie's supervision. They did exactly what you did; it is only a little different. You have taken up my paper and decided to abolish the office. I come here and I ask why? Would there be any objection to Mr. L——— getting the per cent.? They said, No, I don't see that there is.

Mr. RATHBONE. What is your arrangement with Mr. Luckett?

Mr. WEDDERBURN. I have not any objection to telling you, in the world. Mr. L——— and I have been the warmest personal friends. At the time he took charge of the post-office he was superintendent of the place and the grounds and was in charge of them. We did not propose to increase his salary. We expected to have a summer resort there if the association had not got into trouble and prevented us from doing it.

Mr. RATHBONE. What is your arrangement with Mr. Luckett?

Mr. WEDDERBURN. My arrangement was that I was to pay all the expenses and pay him his salary. I was to pay the salary of the assistant postmaster. If you take the thing right straight through, I have not made much.

Mr. RATHBONE. I do not understand this: Why should you control this post-office yourself, and you have a man appointed postmaster who lives 51 miles away.

Mr. WEDDERBURN. He was not 51 miles away when he was appointed.

Mr. RATHBONE. Why did you not take the post-office yourself? Why did you not apply for it?

Mr. WEDDERBURN. I am now perfectly willing to assume the postmastership unless Mr. W——— would take it. The reason we have not made any change, I will be perfectly frank in telling you. Simply because we would have to go to work and make a change in postmaster and change the bond, and that would take some trouble, and I have been so busy that I have not been able to attend to it.

Mr. RATHBONE. You make all the requisitions for stamps, as I understand?

Mr. WEDDERBURN. I have never done anything of that kind. Mr. Swazie, the assistant postmaster, makes all that.

Mr. RATHBONE. You are the principal patron of that office?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. Don't you know, as a fact, that there are but two other people who get their mail at that office?

Mr. WEDDERBURN. Indeed I don't, sir. I think you are mistaken about that, sir; to the best of my knowledge and belief.

Mr. RATHBONE. How do you send out this publication, the National Farm and Fireside; do you send it at second-class rates?

Mr. WEDDERBURN. Yes, sir; certainly, sir.

Mr. RATHBONE. How many subscribers have you?

Mr. WEDDERBURN. There are some 2,000 on the books; I will say over 500.

Mr. RATHBONE. How many sample copies do you send out per month?

Mr. WEDDERBURN. When Congress is not in session we send very few; when it is in session we send as many as we can dispose of.

Mr. RATHBONE. How many do you think you have sent out in the past five or six months?

Mr. WEDDERBURN. I could give you that exactly, sir. One issue was 25,000, including our regular edition, as an extra edition.

Mr. RATHBONE. I understand that you publish this paper in Alexandria. You live in Alexandria?

Mr. WEDDERBURN. Yes, sir; I live in Alexandria about five months and in Grange Camp about seven months; and I have an office in Alexandria.

Mr. RATHBONE. Where do you print your paper; in Alexandria?

Mr. WEDDERBURN. I print my paper there.

Mr. RATHBONE. You have a lock-box in the post-office at Alexandria?

Mr. WEDDERBURN. I have a lock-box there.

Mr. RATHBONE. Also in Washington?

Mr. WEDDERBURN. Yes.

Mr. RATHBONE. Have you an office in Washington?

Mr. WEDDERBURN. I have no business office in Washington. The idea is to get an agricultural paper. We put the place on "Washington," and that was taken up by the Attorney-General here, and they decided that this is——

Mr. RATHBONE. Are all of the copies like this?

Mr. WEDDERBURN. They are all exactly alike, sir.

Mr. RATHBONE. The post-office has been abolished.

Mr. WEDDERBURN. I hoped that that could be changed, because we need a post-office there, and I do not think it would be a very hard matter to do that.

Mr. RATHBONE. My information, as based on an inquiry, is that there are only two patrons of the office outside of yourself. If that is true, there is no occasion for a post-office there.

Mr. WEDDERBURN. Suppose, for instance, I have got mail there; I am sending it off there——

Mr. RATHBONE. You publish a paper in Alexandria, now why not mail it there? Why do you send them by express down to Grange Camp to mail them?

Mr. WEDDERBURN. For the simple reason—— You want to know that—— The last eighteen months we have had a litigation in Grange Camp. To print my paper there in the winter-time requires a building that I have not got. It requires a building with plaster. You can not run a press in cold weather without coal, and that was the only reason the printing office was moved to Alexandria, and as soon as this litigation has——

Mr. RATHBONE. Did you ever print this paper in Grange Camp?

Mr. WEDDERBURN. For six months, from March until the following February.

Mr. RATHBONE. You have to pay the same amount for postage at Grange Camp that you would in Alexandria?

Mr. WEDDERBURN. Certainly.

Mr. RATHBONE. The additional expense is the transportation of the paper from Alexandria to Grange Camp?

Mr. WEDDERBURN. I am not bothered about that, sir. I am willing to mail this paper in Alexandria.

Mr. RATHBONE. It looks to me that the maintenance of a post-office at Grange Camp is almost exclusively for the convenience of one patron—just the one patron.

Mr. WEDDERBURN. It is very largely. It may be so, sir; but it seems to me it has been for the benefit of our whole order in the United States.

Mr. RATHBONE. Would it not be cheaper for you to mail your publication at Vienna, which is only a mile away? Could you not haul it from Grange Camp to Vienna cheaper than from Alexandria?

Mr. WEDDERBURN. No, sir; because we can haul it from Alexandria for 8 cents a hundred if we had to get it and from Vienna it would cost me more.

Mr. RATHBONE. An inspector of this Department examined these publications, and in his opinion they were unmailable at the rates you were sending them, and report was made to me; I in turn referred it to the Third Assistant Postmaster-General, and the Third Assistant holds that it is unmailable; the inspector recommended that this publication be excluded from the mails and that the post-office be abolished, and that recommendation was concurred in by the Third Assistant, who excluded this publication from the mails, and it was concurred in by the First Assistant, who abolished the office. That is the status of affairs.

Mr. WEDDERBURN. In regard to the office, I suppose that will have to be taken up with the First Assistant Postmaster-General; but in regard to the mailing of my paper, I do not think that has anything to do with the Post-Office. I submit a paper for consideration. There is a piece of work that has been published for seventeen years. The first day of May this year it has been published for seventeen years. I have subscribers for the whole of that time, and the Government steps in here and says——

Mr. RATHBONE. The Government has the right to determine what mail shall be conveyed in the mails and what shall not; or, in other words, the law provides that

certain publications shall not be carried in the mails except at certain rates. And the law has decided that the publication in this case is prohibited by the law at the rates you have been paying.

Mr. WEDDERBURN. Is a paper publishing a bill before Congress against the law?

Mr. RATHBONE. I do not know what the particular point about this paper is.

Mr. WEDDERBURN. This is a very serious thing. It is a question of thousands of dollars to me. I would not take $5,000 for my paper to day. I simply want to say that I will be very much obliged to you if you will let me send my paper. I can not stop matter of that character.

Mr. RATHBONE. The Third Assistant Postmaster-General had sample copies of your paper before him, and he decides that it should be excluded from the mails, and has done it. He is the man for you to labor with.

Mr. WEDDERBURN. I do not know what to do. I do not want to go up to the Capitol and get men to come here. I certainly will have to bring suit; I can not afford that. The Government has got no right——

Mr. RATHBONE. You are publishing a paper here that the Department has decided is unmailable at the rates you have been sending.

Mr. WEDDERBURN. Refer to the law; I mean the clause on which you made that decision. Here I am, a citizen of the United States, doing nothing illegitimate.

M. RATHBONE. If you are doing an illegitimate business, you must expect to be——

Mr. WEDDERBURN. My dear sir, I am not doing an illegitimate business.

Mr. RATHBONE. That is a question to be determined.

Mr. WEDDERBURN. I have read that section (328) over very carefully, and I can not see——. Our whole thing is information of a public character; certainly of the best character. We are publishing matter here that no other publication in the United States discusses, and if there is anything illegitimate in that I am absolutely unable to see what it is.

Mr. RATHBONE. This section provides that, "Nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates."

Mr. WEDDERBURN. That paper is a dollar a year; you can get papers all over the country for a dollar a year.

Mr. RATHBONE. As to the question of excluding from the mails, you will have to see the Third Assistant Postmaster-General about that, as he has full charge of that. These copies I should be very glad to keep and look over.

Mr. WEDDERBURN. I would be very glad to have you keep them here where I can have them.

(Mr. Wedderburn left here; returned at 3 o'clock p. m. the same day, and made the following additional statement.)

Mr. WEDDERBURN. I wanted to be allowed to send the paper out this week. I can not see the decision in this case would affect the paper at all; I can not believe that. I would like very much to be allowed to mail them.

Mr. RATHBONE. I can not understand why you do not mail that paper in Alexandria.

Mr. WEDDERBURN. I asked the gentleman, and he told me that it would not be allowed to be mailed at any point.

Mr. RATHBONE. The paper is unmailable as you have been mailing it.

Mr. WEDDERBURN. How can you hold that?

Mr. RATHBONE. It is an advertising paper. Tell me something about your connection with this paper.

Mr. WEDDERBURN. It belongs to John J. Nicholson & Sons, of Baltimore. I run it for them.

Mr. RATHBONE. There was something said about your advancing the passage of this lard bill with the view of getting an appointment in the Agricultural Department. What was there about that?

Mr. WEDDERBURN. That is funny. Has a man got the right to advance a measure that he believes right or wrong; has he got the right to advance a measure which is before Congress?

Mr. RATHBONE. There is no doubt about that.

Mr. WEDDERBURN. I have had an appointment under the present administration to write a book. The Committee on Agriculture unanimously adopted a report to increase the appropriation on account of the work that I did. I think Mr. Rusk will take my part in that.

Mr. RATHBONE. Are you not publishing this paper for the purpose of getting an appointment?

Mr. WEDDERBURN. No, sir.

Mr. RATHBONE. Do you not expect to get an appointment under the bill?

Mr. WEDDERBURN. No, sir; if the food bill ever passed, I hoped to get an appointment.

Mr. RATHBONE. That is the Paddock bill?

Mr. WEDDERBURN. Yes, sir; and you have not seen very much about that in my paper?

Mr. RATHBONE. On this point I am clear, that there should not be a post-office at Grange Camp, because I know from a personal investigation by one of my men that there are only two patrons of that office.

Mr. WEDDERBURN. I am going to find out about that, and will let you know.

Mr. RATHBONE. But I have already investigated it. There are only two patrons, named——.

Mr. WEDDERBURN. Those are two brothers named Williams.

I do not want to raise that question at all. I am looking out for my paper—my property—now; I am not asking any questions about the Grange Camp post-office.

Mr. RATHBONE. There is one thing I would like to inquire into a little more specific, and that is your arrangement with Mr. Luckett, the postmaster. You had some arrangement with him by which he was to be postmaster in name, and you postmaster in fact.

Mr. WEDDERBURN. Not at all; so far as the receipts of the office are concerned, yes. When Mr. Luckett was appointed, he was the clerk, just as there are at most of these small resorts. He received some——.

Mr. RATHBONE. How long was that?

Mr. WEDDERBURN. Three years ago.

Mr. RATHBONE. And he has not been there for nearly three years?

Mr. WEDDERBURN. He left in about four months after that.

Mr. RATHBONE. Say about two years and eight months he has not been there.

Mr. WEDDERBURN. No, sir; he has been there occasionally.

Mr. RATHBONE. What part of the work of the office do you perform, if any?

Mr. WEDDERBURN. I have never looked at a single book, except at the end of the quarter I have asked him to show me their reports. I have never looked at the books to compare. They told me when he first went there that I could not even go into the post-office—that was one of the rules, that nobody except the postmaster, his assistant and clerk, could go into the post-office.

Mr. RATHBONE. How do you get your stamps from that office?

Mr. WEDDERBURN. We send the papers there, and they stamp them and cancel them. Very often I have sent 200 or 300 or 500 papers into the office already stamped; often I send papers into the office and they stamp them.

Mr. RATHBONE. You pay for the stamps afterwards?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. They render you bills for the stamps?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. How often?

Mr. WEDDERBURN. About once in three months.

Mr. RATHBONE. So you pay for your stamps that you have used previously—about once in three months.

Mr. WEDDERBURN. Yes, sir. Unless, in another way—sometimes I stamp them, and get them to——

Mr. RATHBONE. But as a rule, you send your matter to the office, they stamp them, and, about three months later, you pay them for the stamps?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. The reason why I ask you so many questions is that it seems to be a very peculiar transaction. There is not a parallel with this case in the history of the Department.

Mr. WEDDERBURN. The same thing came up here under the Department before. They raised the question as to whether you had a right to give me the office, and I said, if you get your money it don't make any difference who gets the office—just so the Government gets its due.

Mr. RATHBONE. You have all the benefits and emoluments of the office under your arrangement with Mr. Luckett?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. Your arrangement with Mr. Luckett is——

Mr. WEDDERBURN. That I am to pay the expense——

Mr. RATHBONE. And your arrangement with Luckett is that the stamps are to be ordered from the Department in his name?

Mr. WEDDERBURN. For the post-office——

Mr. RATHBONE. You say he renders you a bill?

Mr. WEDDERBURN. Whenever he wants it he renders a bill. He usually renders it every three months, and I pay it.

Mr. RATHBONE. For instance, at the end of the quarter he sends you a bill for $500, and you send him a check for that amount?

Mr. WEDDERBURN. There is no intention to do anything wrong in the world, and I

do not think there has been; but I do not want the question of a post-office discussed at all.

Mr. RATHBONE. It seems very strange to me that you publish a paper in Alexandria and you box it up and ship it by freight at a cost, to Grange Camp, and there you mail it. Why don't you mail it from Alexandria? There must be some inducements for you to go to that additional expense——

Mr. WEDDERBURN. That I get the revenues of the office.

Mr. RATHBONE. Then the inducement for you to ship your paper to Grange Camp is that you derive the revenues of the office?

Mr. WEDDERBURN. Certainly, sir; certainly, sir. There is no other thing. I have certain claims upon the place (Grange Camp), and intend, ultimately, to buy it. If I do buy it, I intend to put up an office and print my paper right on the ground.

Mr. RATHBONE. Grange Camp is a railway station?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. You have no station agent there?

Mr. WEDDERBURN. No, sir.

Mr. RATHBONE. Do the trains stop there?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. You have to signal every train that stops?

Mr. WEDDERBURN. Yes, sir.

Mr. RATHBONE. How large a place is Grange Camp; how many acres?

Mr. WEDDERBURN. We have 40 acres in the Camp proper; then I have my little house besides. There are about 43 acres; then we have, beside that, a piece of property. We have got a nice place, and a place that will, ultimately, be considerable of a place.

Mr. RATHBONE. How far is Grange Camp from Alexandria?

Mr. WEDDERBURN. Thirteen miles. I can get an agent there if I want him, except for the fact that we haven't got a man that we can trust to do the work in proper shape. So I have not asked for one.

Mr. RATHBONE. There is nothing for an agent to do there?

Mr. WEDDERBURN. Oh, yes; during the fair.

The post-office being moved is going to hurt me.

So far as your saying there are only two people there, there are Chap Williams and his wife; Mr. Swazie, who gets a good deal of mail; my family gets a good deal of mail and sends off a good deal. We have got two or three servants, whose family lives in Baltimore, and they get a good deal of mail; then there is Mr. Johnson's family. Say there are five families.

Mr. RATHBONE. Do you suppose it would average a dozen letters a week?

Mr. WEDDERBURN Yes, sir; more than that.

Mr. RATHBONE. The Post-Office Department can hardly afford to establish and maintain an office to accommodate two or even one-half dozen families.

Mr. WEDDERBURN. It seems to me you put the post-office where the most mail is. I certainly have more mail.

Mr. RATHBONE. Yes, but you mail it all from Alexandria. You told me this morning you have a lock-box in Washington, where you get nearly all your mail.

Mr. WEDDERBURN. Oh, yes, sir.

Mr. RATHBONE. I notice in one of your papers you speak of the contest between the attorneys of the Big Four, a man named Kimball and yourself. Who is Kimball?

Mr. WEDDERBURN. He is the gentleman who represents the pure-lard people in this district.

Mr. RATHBONE. The matter of admitting your paper to the mails you will have to settle with the Third Assistant. In the opinion of our inspector it was not proper to be mailed.

Mr. WEDDERBURN. Let me tell you I do not want to get into a wrangle. All I ask, as a matter of equity is that I be allowed to send off this issue of the paper, which is all prepared to mail. I do not think there ought to be any injustice in stopping that. That is a downright cost to me—so many dollars and cents. But I propose, of course, to deal with the case before the Postmaster-General, and I have no idea that they are going to stop my paper. I can not do that. It hurts my property.

Mr. RATHBONE. Did I understand you to say this morning that your bona fide subscription list is about 500?

Mr. WEDDERBURN. I said that it exceeded 500.

Mr. RATHBONE. About how much is it, do you think; 600?

Mr. WEDDERBURN. We never print less than 2,000 copies. You ask me a question that I can not answer without my books. I presume it is 1,200 or 1,500. We say it is over 500. But the regular circulation of the paper I know is 1,860—that is the regular edition of the paper.

Mr. RATHBONE. You often print as high as 15,000?

Mr. WEDDERBURN. No, sir; I do not know anything of the kind. I have printed 5,000 several times.

Mr. RATHBONE. Why do you print them --in advocacy of this bill?
Mr. WEDDERBURN. Yes, sir. To circulate my——
Mr. RATHBONE. What particular interest has your backer, Nicholson?
Mr. WEDDERBURN. He just backs me financially. He has nothing to do with that. He is backing me as a financial enterprise. You do not seem to comprehend. The National Grange have indorsed certain things; those things I advocate in my paper. I do not advocate anything else that could get into my paper for any consideration.
Mr. RATHBONE. Is the National Grange financially back of this publication?
Mr. WEDDERBURN. No, sir.
Mr. RATHBONE. How do you expect to reap a benefit?
Mr. WEDDERBURN. I am getting a very nice sum from that. I get something from the paper. I hope to get an office under this. I got $1,000 from Uncle Sam for writing a book last year. I get something from my advertisements. I sell quite a number of these papers. Members of Congress buy these papers by the hundreds. The National Democrat, the Gazette, and all those papers, whenever they have an article of any note, they send 500 and 1,000 copies at a time. Sometimes I publish a little article myself. I do not charge anything for that. I think Rusk will say that that paper has done more for him than all the other agricultural papers put together; and I think he will support me. It has simply been reported upon without any investigation.
Mr. AGNEW. Does that make any difference to the Department?
Mr. RATHBONE. Yes; in this case, as I understand, Wedderburn publishes his paper in Alexandria; he ships it down to Grange Camp, and there he mails it in the post-office which he controls and gets all the revenues from. He gets 100 per cent. of the earnings of that office up to $200. He gets it all; $200 a year.
Mr. WEDDERBURN. Two hundred dollars a year.
Mr. RATHBONE. Therefore, he sends his paper through the mails for almost nothing.
Mr. WEDDERBURN. Excuse me, I don't. Understand me. About the paper being shipped to Alexandria: I told the gentleman, the Third Assistant Postmaster-General's chief clerk, I told him that so far as the paper was concerned, I was perfectly willing to mail it from Alexandria. But in regard to the mailing of the "Fireside," I don't care whether it is mailed here or from Alexandria, or from Grange Camp; that is immaterial. We won't discuss the question of the "Fireside." It is only a question of Grange Camp. There are certain reasons (irrespective of any profit that may come to me) that I am very anxious to keep the post-office there.
Mr. RATHBONE. That reason is personal to you?
Mr. WEDDERBURN. No, sir; not at all. The first and foremost reason is that we have this Grange Camp Association there every year. People have been coming there from Pennsylvania, New York, and Ohio, now, for three or four years. That is the first reason on which the post-office is established.
Mr. RATHBONE. That meeting only lasts about a week.
Mr. WEDDERBURN. Another reason that I want the ——. It helps to give me the revenue. We have been, as I told you the other day, in litigation. That will be settled in a month or six weeks.
Mr. RATHBONE. I can not see how any litigation with private parties will affect your paper.
Mr. WEDDERBURN. Well, you see we want to sell some lots there.
Mr. RATHBONE. The Post-Office Department can not lend itself to any plan of that kind, to sell lots.
Mr. WEDDERBURN. I am mentioning that as the reason why it has not been built up sooner. Every farmer in Fairfax County is interested in that as well as myself.
Mr. AGNEW. Mr. Wedderburn has his own registered mail amounting to over $25 a year.
Mr. WEDDERBURN. There are twenty-five people who get their mail there regularly, instead of two. I could not tell you the other day because I did not know. I could not answer that. I never interfered with the details of the office in any shape or form.
Mr. RATHBONE. Let me tell you why I asked you those questions; because the inspector's report indicated that there were but two families who get there mail there. It struck me that you would know how many patrons there were in that office. You control the office.
Mr. WEDDERBURN. Don't you recollect that I told you, when the office was established there; Mr. Fletcher, who was then acting as postmaster, said nobody shall have anything to do with these books, except three people, the postmaster, the assistant postmaster, and his clerk; I told you, sir, with all due respect, although I am your clerk, that you can not have anything to do with the post-office or books, or anything of that kind. As to the individual benefit derived from it, I have my own mail, my "Fireside" mail, and the mail of the Grange Association; although I get no benefit of the Grange Camp Association. All of that you will find——
Mr. RATHBONE. You are controlling the office——

Mr. WEDDERBURN. I am perfectly willing to give that up.

Mr. RATHBONE. You get all the revenues of the office. That office is run in the interest of one man?

Mr. WEDDERBURN. So far as the money is concerned.

Mr. RATHBONE. It is an office to accommodate one man.

Mr. WEDDERBURN. That has been done all over the country.

Mr. AGNEW. I have noticed, since I have had anything to do with these things that they are constantly establishing offices upon application of fifteen or twenty people. They don't appear to care much about distances. What I wanted to get at is, if there is any one there willing to take the position for what it may be worth in cancellation. Is there any objection on the part of the Post-Office Department to having an office there when it does not cost them anything?

Mr. WEDDERBURN. I am perfectly willing to——

Mr. AGNEW. Then don't you think they ought to abolish a good many offices?

Mr. RATHBONE. Undoubtedly.

Mr. WEDDERBURN. Vienna is a large office.

Mr. RATHBONE. Let me say this about the exclusion of your paper from the mails. That is a matter that the Third Assistant Postmaster-General controls exclusively. I have nothing to do with that. The inspector's report was referred to me, in which he concluded that this paper, giving his reasons, should be excluded from the mails. The Third Assistant Postmaster-General considered this question, and did exclude it three or four days ago. Yesterday he held that order in abeyance. You know that.

Mr. WEDDERBURN. When I was here, he said he would allow the last issue to go.

Mr. RATHBONE. Now, in the matter of the abolishment of the post-office, from my investigation of the matter, by conference with you, and from the inspector's report, I am clearly of the opinion that that office should be abolished.

Mr. AGNEW. Eliminating it from any connection with "The Farm and Fireside", is there any objection to a post-office at that place?

Mr. RATHBONE. I do not think there ought to be one there. There are three post-offices within two miles and a half.

Mr. AGNEW. I think if you would follow it up you would abolish a great many.

Mr. RATHBONE. I think we ought to abolish them in like cases.

Mr. WEDDERBURN. Is it fair that this post-office, sending as much mail as it does, should be abolished? That is the plan so far as the paper is; that is all right. When I go back to Alexandria I will send it from the post-office there. I will apply for entry in the post-office at Alexandria. I come to Washington in the morning; I stay here; I get back to my place in the evening, and I write my letters there at night.

Mr. RATHBONE. Exclude from this class the amount of mail that you send out; what would be the amount of mail that is shipped from that office?

Mr. WEDDERBURN. Outside of my own mail there would be over $100.

(Note: An actual count shows receipts of office, outside of Wedderburn's mail, for the year 1889 to be $11.59.)

Mr. RATHBONE. I doubt it.

Mr. WEDDERBURN. Mr. Williams had told me positively that he had personal mail amounting to over $25.

Mr. RATHBONE. What business is he in?

Mr. WEDDERBURN. His wife is a correspondent of a newspaper. They send off manuscript very largely. The Grange Camp Association mail a quantity of about between $60 and $75.

Mr. RATHBONE. From the information I have it is clear that that office should be abolished.

Mr. AGNEW. Don't you think that order might be held up?

Mr. RATHBONE. Well, I don't know.

Mr. AGNEW. I don't doubt there are——

Mr. RATHBONE. I tell you plainly, I am against the re-establishment of the post-office. What the Postmaster-Geueral will do, I do not know.

Mr. AGNEW. Mr. Wedderburn is entering that paper with heading that was drawn in the Department.

Mr. WEDDERBURN. The whole question was raised and decided in my favor.

Mr. RATHBONE. You say that Swaizie made a complaint here?

Mr. WEDDERBURN. No. As I told you the other day, I think those at the bottom of it are the Fairbanks and Armours. Those fellows are fighting me.

Mr. RATHBONE. You say that the lard fight is at the bottom of the whole thing?

Mr. WEDDERBURN. I know that.

Mr. RATHBONE. You are against Armour, evidently.

Mr. WEDDERBURN. I am against him, and I am worse against him now than I was before.

A. J. Wedderburn to the editor of the Star.

EDITOR STAR:

When I called yesterday and asked for your author as to the statement relating to Grange Camp post-office and the attempted suppression of the National Farm and Fireside you kindly requested a correct statement of the matter. I desired to make a plain and true statement, free from heat, which in this weather and under the circumstances I find hard to do.

To be charged with fraud in the matter of the Grange Camp post-office and the publication of the National Farm and Fireside by sensational writers, under information given out by the postal authorities, might be passed by with indifference and contempt were it not for the circumstances connected with the matter, which throw around it the astonishing facts that the postal authorities have been duped into lending themselves to one of the most glaring pieces of lobby work that was ever perpetrated in the United States, and thereby violated not only the Constitution, which guaranties a free press and free speech, but have attempted to rob me of my property without warrant of law and to cover up their blunder have gone so far as to try and rob me of my good name.

The facts in the case are as follows:

FIRST AS TO GRANGE CAMP POST-OFFICE.

Some three years ago I moved from Baltimore to Grange Camp, Va., on the Washington and Ohio Railroad, and requested that a post-office be opened at that place as my mail was large enough to justify the establishment. A protest was entered by the nearest post-office and an investigation ordered, but as thirty or more citizens requested the office, and it was recommended by the Congressman from my district and several others, the request was granted, and Mr. L. H. Luckett, whom your informant is pleased to style a farm hand, but who in reality is a highly educated and an honorable gentleman, and who at that time was superintendent of the camp grounds, was appointed postmaster. The fact of his being really in my employ was stated at the time, and it was known by every one that the office was created, after careful investigation, for my benefit, as many other offices are created for the benefit of others who have large mails. I may add that my mail consisted of my paper, my regular correspondence, my correspondence as the chief legislative officer of the State Grange of Virginia, and also as an officer of the Grange Camp Association; also the mail of the association and of its many visitors during exhibition week.

My mail was and is in a great measure not of a personal character, but for the benefit of the farmers of my own State, and also for those of the whole country.

Had not these facts been fully understood at first they were certainly so understood in a few months, because an inspector of the Post-Office Department came to the Camp and made a report, upon the basis of which the post-office was abolished. I went to Washington and asked the cause, and was told that the order was issued because I was receiving the benefits of the office and that I was its chief patron.

To which I simply replied by reminding the officer, Mr. Haney, chief clerk of the First Assistant Postmaster-General (and a Republican), of my application on file in the Department and also asked him what it mattered to the Government if they were paid all that was due them who got the profits of the office provided the postmaster was satisfied. The office was immediately re-established and has continued until the present order.

There has been nothing illegal connected with it from beginning to end, unless it be the removal of Mr. Luckett and that was known at the Department at the time of the first suspension.

As to the profits of the office they have not paid the expenses up to the present year as the rental and clerk hire has cost more than the returns.

Such is the basis of this charge of fraud by me on the Government and as stated above is made to cover up the attempted suppression of my paper in the interest of the gigantic lobby headed by W. W. Dudley, which is trying to defeat the Conger lard bill.

The following are the facts connected therewith:

The Fireside has been a thorn in the side of the Fairbank-Armour-Dudley lobby for three years. It has fought them with unremitting ardor, and at every turn exposed their tricks and routed them. Two committees of Congress, in the Fiftieth and Fifty-first Congress, have reported favorably the lard bill presented by Mr. Conger, thus sustaining and supporting my position.

The National Grange P. of H. have indorsed the measure three times.

Numerous State, county, and local granges have indorsed the bill. Thousands and tens of thousands of petitioners have sent in, through me, their petitions in its favor.

This lobby has boasted that it would spend $100,000 to defeat the Conger bill, and

has tried to incite sectional and race prejudices to the same end, all of which I have exposed, and by constant hard work have met these men and defeated them at every turn up to the present time. Personally I claim no merit for this, for

"Thrice armed is he who hath his quarrel just,"

and the position I sustained and advocated was simply, that every tub of lard in this great country should be properly branded, and that the Chicago millionaires be not allowed to defraud the public by selling under a false brand a mixture composed of God knows what.

But enough of this; now for facts.

May 28 a new bond was sent to Grange Camp to be signed by the postmaster, Mr. Luckett, to whom I wrote requesting him to come and attend to it.

June 5 I learned that the post-office inspector visited Grange Camp.

June 6 I received a letter from Post-Office Inspector F. M. Arrington requesting me to call on him, which I did on that day or the day after. Mr. Arrington asked me questions covering the above statements as to Grange Camp office, to all of which I replied truthfully and fully and referred him to the papers on file. In regard to my paper he simply asked if I did not print it in Alexandria and mail it at Grange Camp, which I told him I did. It never occurred to me that any attempt was to be made to exclude my paper from the mails, and I paid little attention to the investigation regarding the office. Mr. Arrington requested me to call on him again the following week before he made his report, for what purpose he did not say. I did not, however, do so until after my paper had been denied the mails, and then he was out.

June 14 a blank requesting the new bond was sent out but was not received for several days, owing to its having been directed to Pennsylvania instead of Virginia, thus showing up to that date no intention existed of stopping the office.

June 17 the following order was issued:

POST-OFFICE DEPARTMENT,
OFFICE OF THIRD ASSISTANT, POSTMASTER-GENERAL,
Washington, D. C., June 17, 1890.

"POSTMASTER,
"*Grange Camp, Va.*:

"The National Farm and Fireside published at your place has been decided by this office, after due consideration of * *the application and papers submitted by the publishers, to* be not entitled to admission into the mails at the second-class rate of postage, *under the provisions of par.* 4, *sec.* 328, *Postal Laws and Regulations.*

"You are directed to inform the publishers of the action of the Department and to require postage at the third-class rate on all copies of the publication presented for mailing at your office.

"Yours, very respectfully,

"A. D. HAZEN,
"*Third Assistant Postmaster-General.*"

I received these documents June 19, in the evening. June 20th, I called on General Hazen; I told him I desired to see about my paper. He referred me to his chief clerk, who informed me that there were matters connected with the publication that warranted the exclusion of the paper from the mails. I demanded to know what they were and under what law, and on what grounds the action had been taken. I at the same time submitted six different issues of my paper for inspection. He told me the reason was that the paper was published at a nominal rate. I told him this was absurd, as the subscription price ($1.00 a year) was the price of a large majority of all the papers published in the United States.

He then said that it had been so decided because of the large number of sample copies sent out. I asked what was the legitimate number. He replied, a reasonable number. I asked what a reasonable number was. He evaded the question. I then told him that he or no other officer would decide that question for the very good reason that the law was framed to enable publishers to increase their subscription list by sending out samples and for the further reason that politicians of all parties desired to mail matter at the second-class rate, as he must know was done by nearly every paper in the United States. He then said the matter could only be changed by the inspector, and sent me to Chief Post-Office Inspector Rathbone, with

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*These italics are mine (those below are the Department's). I have made them to emphasize the fact that the publishers *had not submitted any paper or made any application* to the Third Assistant Postmaster-General, for the very good reason that the only application necessary had been made over three years previous and the paper had been admitted to the mails and was running regularly as it had been, since May 1, 1874, when the paper first started.

whom I had two very lengthy conversations,* in the course of which he asked me a series of remarkable questions as to the ownership of the paper, its circulation, etc. He asked what interest the owners had in the Conger lard bill, to which I replied none. He asked why the paper was full of that bill. I replied because I chose to fill it with it and was determined to continue the fight until I won. He asked what interest W. W. Kimball had in the paper and who he was. I told him Mr. Kimball had not the slightest interest in the paper; he had purchased papers when the articles suited him. He asked me what the National Grange paid me for my advocacy of the lard bill and a number of similar questions, all of which I submitted to, for the simple reason that I desired to get to the bottom of the mystery, and I was gratified by Mr. Rathbone's saying:

The reason the paper was suspended is because it is an advertising sheet. I replied that is an absurdity. There are but few advertisements in it; all legitimate and none of my own business; it is in no sense an advertising sheet. Mr. Rathbone replied, it is an advertising sheet, used to advertise a bill before Congress, this Conger lard bill.

To which I replied, in that sense it was an advertising sheet, that it advertised the bill and would continue to do so; it advertised the rascalities of Armour and Fairbank and intended to keep it up; that I knew them pretty well for ways that were dark, but I hardly presumed that they would have attempted to use the United States Post-Office Department to wreak their vengeance on me through the influence of their attorney, W. W. Dudley.

A third reason was given a personal friend of mine who called on General Hazen later in the day, and it was that the paper was printed in Alexandria and published from Grange Camp.

I went from the inspector to the chief clerk, and told him my paper was printed and ready to mail. I asked for an order to send out that issue so as to let the matter be re-opened. He told me to tell my man to send out the paper.

I looked him squarely in the face and asked him if he thought a sworn official should disobey the directions of the Department on a verbal message. Further, I said the assistant postmaster would not be guilty of any such dereliction of duty, and I would not be the one to advise him to do it.

He then went to General Hazen, and returning, said he had requested him to issue such an order, but he positively refused to allow the paper to go through the mails.

I asked if it could be mailed from Alexandria, and he replied that it could not, because it was entered at Grange Camp.

I left, doubtless in no pleasant mood, and did not hesitate to express myself pretty plainly at the outrage perpetrated upon me, as no property is more susceptible of an injury than a newspaper by even a week's suspension.

The attempt to interfere with the liberty of a paper that for seventeen years had been regularly published because it chose to discuss a matter of public interest in an outspoken and fearless manner to gratify the whim of W. W. Dudley's clients, by the issuance of his order by the Third Assistant Postmaster-General to exclude it from the mail as second-class matter, would appear so farcical as to be beyond belief, were the facts not so palpable that even the inspector confessed to me in the presence of the Hon. Parke Agnew, on June 25, that "he had not caught on to the fact that the matter was instigated by the Chicago lard men until that morning in an interview with Secretary Rusk."

At the instance of a friend General Hazen on the 20th rescinded his order so far as to allow the issue of the 21st to go through the mail, but no further.

Finding their position absolutely untenable and fearing something of a rumpus, they make a shift, by issuing on the 23d an order to discontinue Grange Camp post-office, so as to stop the Fireside in that way if in no other, and then give out for publication statements intended to befog the case and cast discredit upon me.

As to the circulation of my paper and the sample copies the facts are, and can be proven by the record, if the Post-Office Department keeps a record of canceled news-paper stamps, that the circulation of the Fireside is about the same it has been for several years; that I have every year issued one or two, twenty to twenty-five thousand extra editions of the paper for the purpose of trying to increase its circulation for a number of years past.

That the paper has a legitimate list of subscribers is easily proved.

I have tried to keep cool under these most aggravating circumstances, because I had no desire to create a scandal at the expense of the Government, even if not agreeing with it politically.

This statement has been forced from me by the recklessness of the author of the statement given out by the Post-Office Department and not from any personal desire to gain a little cheap notoriety.

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* See my stenographic report of conversation with this gentleman. It upsets his statement.—RATHBONE.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., June 20, 1890.

SIR: In compliance with your verbal request of yesterday I return herewith the report of Post-Office Inspector Arrington relative to the status of the National Farm and Fireside, published at Grange Camp, Va., and of the post-office at that place. I send you also copy of a report made on the 2d of March, 1888, by Post-Office Inspector W. S. Ridgely upon the affairs of the post-office at Grange Camp, which exhibits a state of things at that time somewhat similar to what is shown by the report of Inspector Arrington. It seems that shortly after the receipt by this office of Inspector Ridgely's report—namely, on March 20, 1888—a copy of it was transmitted to the First Assistant Postmaster-General, with a recommendation for the discontinuance of the office, and that an order to discontinue was made on the 16th of April, 1888, but rescinded ten days afterwards.

I inclose also copies of two applications made by Alex. J. Wedderburn, publisher of the National Farm and Fireside, for the entry of that paper at Grange Camp, Va., and for the entry at Alexandria, Va., of what is called the Virginia edition of the National Farm and Fireside; and, although this office is not aware of any fraud in connection with these applications, it may be that upon special investigation fraud will be discovered. I should be glad to have you specially investigate the status of the Virginia edition of the National Farm and Fireside, with the view of discovery whether it is advisable to exclude it from the mails as second-class matter.

There is still another paper, it seems—"The Progress"—published at Alexandria, Va., by Mr. Wedderburn, the status of which it might be well to inquire into.

I send also paper showing sales, cancellations, and commissions of the postmaster at Grange Camp from the second quarter of 1887 to the fourth quarter of 1889, inclusive, and suggest that inquiry be made to ascertain whether the postmaster, or his assistants or agents, have been guilty of making false returns in order to increase the compensation of the office.

In transmitting to you the above-mentioned papers, I beg leave to call your attention to the fact that the present assistants of the postmaster at Grange Camp—a Mr. Swayze and his daughter—have, according to Inspector Arrington's report, been habitually violating the act of Congress of June 17, 1878, in selling stamps to the publisher of the National Farm and Fireside, Alex. J. Wedderburn, without requiring payment therefor in cash, an offense which is punishable by fine or imprisonment, and which would seem to be in this case of sufficient gravity to warrant a criminal prosecution of the offenders.

After the investigation is completed I should be glad to have you communicate the result to this office.

Yours, very respectfully,

A. D. HAZEN,
Third Assistant Postmaster-General.

E. J. RATHBONE, Esq.,
Chief Post-Office Inspector, Washington, D. C.

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the amended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

GRANGE CAMP, VA., *November* 5, 1887.

Application is hereby made to have the National Farm and Fireside, a semi-monthly published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

NAT. FARM AND FIRESIDE PUB. CO.,
Publisher.

Per ALEX. J. WEDDERBURN,
Edt.

1. Magazine or newspaper?—Answer. Newspaper.
2. How often published?—Answer. 1st and 15th of each month.
3. Where is the paper printed?—Answer. At Grange Camp, Va.
4. Who are the proprietors of the paper or magazine?—Answer. Nat. Farm and Fireside Pub. Co.
5. Are they in any way interested pecuniarily in any business or trade represented

by the publication, either in the reading matter or in the advertisements? If so, what is the interest?—Answer. No.

6. Who are the editors of the publication, and how is their compensation determined?—Answer. Alex. J. Wedderburn.

7. Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?—Answer. Mr. Wedderburn advertises his business in the paper, and has done so since 1879; agent of Va. Grange, &c.

8. Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price currents or advertisements appear therein?—Answer. The paper is not a trade journal, but an agricultural one, circulated all over the U. S.

9. As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?—Answer. No.

10. Can any house in good standing advertise in your publication at the regular published rates?—Answer. Yes; glad to get all legitimate ads.

11. Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein respecting advertisements or subscriptions? And if so, what is that interest?—Answer. None whatever.

12. What is the greatest number of copies furnished to any person or firm who advertises in your publication?—Answer. Whatever they desire; rarely in large lots.

13. On what terms are these papers furnished?—Answer. Advertisers and agents, a few copies free; others from 1 to 2 cents, according to number.

14. What number of papers do you print of each issue?—Answer. From 3,000 to 4,000.

15. About what number of *bona fide* subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?—Answer. About 1,800.

16. What is the subscription price of your publication per annum?—Answer. Fifty cents.

17. How many pounds weight will cover the papers furnished to regular subscribers?—Answer. We used fifty lbs. paper to ream.

18. What average number of specimen copies, with each issue, do you desire to send through the mails at pound rates?—Answer. As many as we can get new names.

19. How are the names of the persons to whom you wish to send sample copies obtained by you?—Answer. From masters and secretaries of Granges in all the States and by advertising free sample copies.

ALEX. J. WEDDERBURN,
Editor, N. F. and F.

Sworn to and subscribed before me this eighth day of November, 1887.
[SEAL] GEO. D. SCOTT,
Notary Public.

☞This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See sections 333 and 334 of the Postal Laws and Regulations.)

EXTRACTS FROM THE POSTAL LAWS AND REGULATIONS OF 1887.

SEC. 328. STATUTORY CHARACTERISTICS.—That the conditions upon which a publication shall be admitted to the second class are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers: *Provided, however*, That nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation or for circulation at nominal rates. (Act of March 3, 1879, § 14, 20 Stats., 359.)

SEC. 329. REGULARITY OF ISSUE.—The regular periods of issue must be shown by the publication itself and be within the statute. Annuals and semi-annuals are third-class matter. And it is only matter mailed at or about the time of its regular pub-

lication which is entitled to second-class rates. Old copies of newspapers or periodicals published at prior times must pay rate prescribed in section three hundred and fifty-one, except that back numbers may be sent to regular subscribers at the pound rate.

An admissible publication may change the periods of issue, as from monthly to weekly, weekly to daily, or *vice versa*, but on such change should receive a new certificate of entry accordingly. Educational publications and those of colleges and schools, otherwise within the rule, do not lose their right by suspension of issue during vacation.

SEC. 333. APPLICATION FOR ADMISSION TO THE POUND RATES.—When a new publication is offered for mailing at pound rates at any post-office, the postmaster will proceed as follows:

1. Require the publisher, or one of the publishers, to make and present to him, with two copies of the publication, sworn answers in writing to the following interrogatories: (See interrogatories above.)

2. If satisfied by the affidavit, the publication itself, and further proofs offered, that the publication is admissible, he will issue a temporary permit, on a form to be furnished by the Department, admitting the publication at the pound rates pending the determination of the Department as to its admissibility.

3. If upon such evidence the admissibility appear to be doubtful, he shall require a deposit at third-class rates on the issue offered for mailing, and issue a permit admitting the publication conditionally, pending determination, the excess of the deposit over the pound rate to be refunded if the Department shall decide that the publisher is entitled to the pound rates.

4. If satisfied of non-admissibility, he will refuse to admit except at third-class rates, advising the publisher to appeal to the Department.

5. In all cases he will forward to the Third Assistant Postmaster-General, in the same envelope, the application, affidavit, and other proofs presented by the publisher, with a copy of the publication, and a statement of any facts or reasons known to him for or against the admission sought, retaining one copy of the publication to be kept in his office for such comparison with future issues as may be necessary.

SEC. 334. ENTRY OF SECOND-CLASS PUBLICATIONS.—The Third Assistant Postmaster-General finally decides upon the admissibility of publications to the pound rate in all cases. He will without delay examine all applications, and upon being satisfied that a publication is entitled to admission at such rate will authorize the postmaster at the proper office to issue a certificate of entry therefor. The postmaster will thereupon issue such certificate on form furnished by the Department, and the publisher is then privileged to print upon each copy of the publication so entered the words "Entered at the post-office at ——— as second-class matter." The printing of such words or their equivalent, without due entry having first been made, is unlawful. (See section 346.)

Postmasters should notify publishers of the requirements of this chapter, and that it is the desire of the Department that due entry be made of all second-class publications, both old and new, and that frequent examination and rigid scrutiny will be had of all publications not so formally entered.

Whenever it is made to appear by satisfactory evidence that a publication has been admitted to the pound rates upon false evidence, or that after admission it has so changed its character as to be no longer entitled thereto, the entry thereof will be revoked, and the postmaster at the proper office notified of the revocation.

SEC. 344. EXAMINATION OF SECOND-CLASS PUBLICATIONS.—Postmasters should often examine publications offered for mailing to ascertain that they do not violate the rules prescribed by law for their admission at the pound rate, and specially note:

1. Whether the same are issued at stated intervals as frequently as four times a year, and bear a date of issue, and are numbered consecutively.

2. Whether they are issued from a known office of publication.

3. That they are formed of printed paper sheets, without board, cloth, leather, or other substantial binding.

4. Whether they are designed primarily for advertising purposes, or free circulation at nominal rates.

5. Whether they are mailed at the proper office, as prescribed in section three hundred and forty-eight.

6. Whether the name of the person, firm, or corporation publishing the same appears thereon.

7. Whether any other matter than legitimate supplements, as defined in section three hundred and thirty-seven, is inclosed therewith.

8. Whether any writing, print, mark, or sign, other than authorized by section three hundred and fifty-six, appears thereon or therein.

9. Whether any advertisements not permanently attached are inclosed therewith. (See section 343.)

10. When a postmaster has reason to believe that a publication has, after admission to the pound rate, so changed its character as not to be legally entitled thereto, he may require a sworn statement as to its list of subscribers to be furnished him, which, with any other facts or evidence within his knowledge, he will forward to the Third Assistant Postmaster-General.

SEC. 345. RECORD OF SECOND-CLASS MATTER.—Postmasters must keep a record of all publications of the second class mailed at their post-offices, and send a duplicate thereof to the Third Assistant Postmaster-General, and report to him on the first day of each month any change made therein.

SEC. 346. SUBMITTING FALSE EVIDENCE PUNISHABLE.—That any person who shall submit, or cause to be submitted, for transportation in the mails, any false evidence to the postmaster relative to the character of his publication, shall be deemed guilty of a misdemeanor, and, under conviction thereof in any court of competent jurisdiction, shall for every such offense be punished by a fine of not less than one hundred nor more than five hundred dollars. (Act of March 3, 1879, § 13, 20 Stats., 359.)

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the appended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

ALEXANDRIA, VA., *January* 19, 1889.

Application is hereby made to have the weekly edition of National Farm and Fireside, a weekly paper published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

ALEX. J. WEDDERBURN & CO.,
Publisher.

1. Magazine or newspaper?—Answer. Newspaper.
2. How often published?—Answer. Every Saturday.
3. Where is the paper printed?—Answer. 309 King st., Alexandria, Va.
4. Who are the proprietors of the paper or magazine?—Answer. Alex. J. Wedderburn & Co.
5. Are they in any way interested pecuniarily in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?—Answer. No.
6. Who are the editors of the publication, and how is their compensation determined?—Answer. Alex. J. Wedderburn. By profit of the paper.
7. Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements? If so, what is the interest?—Answer. No.
8. Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price-currents or advertisements appear therein?—Answer. It is organ of Virginia State Grange. Don't represent interest of any business house.
9. As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?—Answer. No.
10. Can any house in good standing advertise in your publication at the regular published rates?—Answer. Yes.
11. Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein representing advertisements or subscriptions? And if so, what is that interest?—Answer. No.
12. What is the greatest number of copies furnished to any person or firm who advertises in your publication?—Answer. All they will pay for.
13. On what terms are these papers furnished?—Answer. One (1) dollar per year per copy.
14. What number of papers do you print of each issue?—Answer. 500.
15. About what number of *bona fide* subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?—Answer. Don't know; impossible to answer this question. We have *some* subscribers paid in advance and are receiving others. Few papers have a

subscription list before starting. We have several thousand for our semi-monthly edition.

16. What is the subscription price of your publication per annum?—Answer. One (1) dollar.

17. How many pounds weight will cover the papers furnished to regular subscribers?—Answer. 20.

18. What average number of specimen copies with each issue do you desire to send through the mails at pound rates?—Answer. Reasonable number.

19. How are the names of the persons to whom you wish to send sample copies obtained by you?—Answer. Masters and secretaries of subordinate granges, clubs, alliances, &c.

ALEX. J. WEDDERBURN,
Edt.

Sworn to and subscribed before me this twenty-third day of Jany., 1889.
[SEAL.]
JULIAN W. HOLT,
Notary Public.

This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See section 333 and 334 of the Postal Laws and Regulations.)

Here follow extracts from postal laws and regulations of 1887, same as those printed with preceding paper.

[Examining Division. No. 164.]

Report of sales and cancellations.

OFFICE OF THE AUDITOR OF THE TREASURY
FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., June 20, 1890.

SIR: I have the honor to submit the following transcript of sales, cancellations, and commissions from the accounts of L. H. Luckett, postmaster at Grange Camp, State of Virginia. Please have the case investigated under section 259, Postal Laws and Regulations of 1887.

Fairfax County.

T. B. COULTER,
Auditor.

THIRD ASSISTANT POSTMASTER-GENERAL.

Period.	Sales.	Cancellation.	Commissions.
Second quarter, 1887	$62.96	$65.83	$59.50
Third quarter, 1887	74.25	82.38	69.43
Fourth quarter, 1887	170.98	165.43	117.71
First quarter, 1888	163.02	217.68	143.84
Second quarter, 1888	71.02	87.09	72.25
Third quarter, 1888	179.44	189.66	129.83
Fourth quarter, 1888	105.30	118.10	90.86
First quarter, 1889	58.46	60.64	56.38
Second quarter, 1889	63.12	63.28	57.97
Third quarter, 1889	56.12	58.56	55.14
Fourth quarter, 1889	95.90	97.98	78.79

Est. May 14 to June 30, '87.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,
Washington, D. C., July 8, 1890.

SIR: In the case of Grange Camp, Va., which Inspector Arrington is investigating, I desire to call the inspector's attention to sections 5450 and 5451, Revised Statutes of the United States. You will please direct his attention particularly to the latter part of section 5451, and have him consider it in connection with the evidence secured by him in the above-named case.

Respectfully,

E. G. RATHBONE,
Chief Inspector.

J. D. KING, Esq.,
Inspector in charge, Washington.

POST-OFFICE DEPARTMENT, OFFICE OF POST-OFFICE INSPECTOR,
Washington, D. C., July 12, 1890.

DEAR SIR: In a letter under date of June 20, 1890, to Hon. E. G. Rathbone, chief inspector, in reference to the status of the National Farm and Fireside, a newspaper that had been entered as second-class matter at Grange Camp, Va., General Hazen, Third Assistant Postmaster-General, requested that a special investigation be made as to the Virginia edition of said paper entered for second-class rates at Alexandria, Va., January 17, 1889. I will state that this edition, it seems, was only published for a few months, and is not now being mailed.

Very respectfully,

T. M. ARRINGTON,
Post-Office Inspector.

J. D. KING, Esq.,
Inspector in charge, Washington, D. C.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,
Washington, D. C., July 14, 1890.

Respectfully referred to the Third Assistant Postmaster-General, in connection with other papers relating to same subject referred this date.

JAMES MAYNARD,
Acting Chief Inspector.

[3214.]

Application for admission of publication at the second-class rates of postage.

[This application and the appended questions are required to be made out and answered by the publisher or publishers of every new publication presented for admission at the pound rate of postage.]

ALEXANDRIA, VA., *July* 7, 1890.

Application is hereby made to have the National Farm and Fireside, a grange and agricultural paper, published in this place, admitted to the mails at the second-class rate of postage, full particulars of it being given in the sworn answers to the subjoined interrogatories.

ALEX. J. WEDDERBURN,
Publisher.

1. Magazine or newspaper?—Answer. Grange and agricultural.
2. How often published?—Answer. Weekly.
3. Where is the paper printed?—Answer. Alexandria, Va.
4. Who are the proprietors of the paper or magazine?—Answer J. J. Nicholson & Sons.
5. Are they in anyway interested pecuniarily in any business or trade represented by the publication, either in the reading matter or in the advertisements; if so, what is the interest?—Answer. None whatever.
6. Who are the editors of the publication, and how is their compensation determined?—Answer. Alex. J. Wedderburn; based on the profits.
7. Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements; if so, what is the interest?—Answer. Not at the present time, and have not for some months.
8. Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price-currents or advertisements appear therein?—Answer. Represents no trade, consequently the question is not applicable.
9. As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced by it, notwithstanding your design of making the publication a journal representing the trade?—Answer. The paper is published in the interest of no business or business house.
10. Can any house in good standing advertise in your publication at the regular published rates?—Answer. Yes.
11. Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein respecting advertisements or subscriptions; and if so, what is that interest?—Answer. None.
12. What is the greatest number of copies furnished to any person or firm who advertises in your publication?—Answer. Will sell any No. asked for.
13. On what terms are these papers furnished?—Answer. From one to three cents each, according to quantity.
14. What number of papers do you print of each issue?—Answer. For some time past 2,000 copies (regular).

15. About what number of *bona fide* subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper?—Answer. About 500 paid subscribers (a large No. of papers are paid for by persons other than those subscribing personally and are mailed regularly on such order).

16. What is the subscription price of your publication per annum?—Answer. $1.00.

17. How many pounds weight will cover the papers furnished to regular subscribers?—Answer. About 100 pounds.

18. What average number of specimen copies, with each issue, do you desire to send through the mails at pound rates?—Answer. *Average* not over 2,000. Occasionally we issue large editions and sometimes no extra copies. Judging by the past a fair average will not exceed 2,000.

19. How are the names of the persons to whom you wish to send sample copies obtained by you?—Answer. Sent in by grangers, sent in on petitions to Congress, sent through me, and names furnished by Senators and Congressmen.

ALEX. J. WEDDERBURN.

Sworn to and subscribed before me this seventh day of July, 1890.
[SEAL.] WM. A. MACNULTY,
Notary Public.

☞ This paper, when properly filled out, is to be sent by the postmaster to the Third Assistant Postmaster-General, Washington, D. C., with any other proofs that may be offered, and with one copy of the publication for the admission of which the application is made. (See sections 333 and 334 of the Postal Laws and Regulations.)

EXTRACTS FROM THE POSTAL LAWS AND REGULATIONS OF 1887.

SEC. 328. STATUTORY CHARACTERISTICS.—That the conditions upon which a publication shall be admitted to the second class are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers: *Provided, however*, that nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates. (Act of March 3, 1879, § 14, 20 Stats., 359.)

SEC. 329. REGULARITY OF ISSUE.—The regular periods of issue must be shown by the publication itself and be within the statute. Annuals and semi-annuals are third-class matter. And it is only matter mailed at or about the time of its regular publication which is entitled to second-class rates. Old copies of newspapers or periodicals published at prior times must pay rate prescribed in section three hundred and fifty-one, except that back numbers may be sent to regular subscribers at the pound rate.

An admissible publication may change the periods of issue, as from monthly to weekly, weekly to daily, or *vice versa*, but on such change should receive a new certificate of entry accordingly. Educational publications and those of colleges and schools, otherwise within the rule, do not lose their right by suspension of issue during vacation.

SEC. 333. APPLICATION FOR ADMISSION TO THE POUND RATES.—When a new publication is offered for mailing at pound rates at any post-office, the postmaster will proceed as follows:

1. Require the publisher, or one of the publishers, to make and present to him, with two copies of the publication, sworn answers in writing to the following interrogatories: (See interrogatories above.)

2. If satisfied by the affidavit, the publication itself, and further proofs offered, that the publication is admissible, he will issue a temporary permit, on a form to be furnished by the Department, admitting the publication at the pound rates pending the determination of the Department as to its admissibility.

3. If upon such evidence the admissibility appear to be doubtful, he shall require a deposit at third-class rates on the issue offered for mailing, and issue a permit admitting the publication conditionally, pending determination, the excess of the deposit over the pound rate to be refunded if the Department shall decide that the publisher is entitled to the pound rates.

4. If satisfied of non-admissibility, he will refuse to admit except at third-class rates, advising the publisher to appeal to the Department.

5. In all cases he will forward to the Third Assistant Postmaster-General, in the same envelope, the application, affidavit, and other proofs presented by the publisher, with a copy of the publication, and a statement of any facts or reasons known to him for or against the admission sought, retaining one copy of publication to be kept in his office for such comparison with future issues as may be necessary.

SEC. 334. ENTRY OF SECOND-CLASS PUBLICATIONS.—The Third Assistant Postmaster-General finally decides upon the admissibility of publications to the pound rate in all cases. He will without delay examine all applications, and upon being satisfied that a publication is entitled to admission at such rate will authorize the postmaster at the proper office to issue a certificate of entry therefor. The postmaster will thereupon issue such certificate on form furnished by the Department; and the publisher is then privileged to print upon each copy of the publication so entered the words "Entered at the post-office at ——— as second-class matter." The printing of such words, or their equivalent, without due entry having first been made, is unlawful. (See section 346.)

Postmasters should notify publishers of the requirements of this chapter, and that it is the desire of the Department that due entry be made of all second-class publications, both old and new, and that frequent examination and rigid scrutiny will be had of all publications not so formally entered.

Whenever it is made to appear by satisfactory evidence that a publication has been admitted to the pound rates upon false evidence, or that after admission it has so changed its character as to be no longer entitled thereto, the entry thereof will be revoked, and the postmaster at the proper office notified of the revocation.

SEC. 344. EXAMINATION OF SECOND-CLASS PUBLICATIONS.—Postmasters should often examine publications offered for mailing to ascertain that they do not violate the rules prescribed by law for their admission at the pound rate, and specially note:

1. Whether the same are issued at stated intervals as frequently as four times a year, and bear a date of issue, and are numbered consecutively.

2. Whether they are issued from a known office of publication.

3. That they are formed of printed paper sheets, without board, cloth, leather, or other substantial binding.

4. Whether they are designed primarily for advertising purposes, or free circulation at nominal rates.

5. Whether they are mailed at the proper office, as prescribed in section three hundred and forty-eight.

6. Whether the name of the person, firm, or corporation publishing the same appears thereon.

7. Whether any other matter than legitimate supplements, as defined in section three hundred and thirty-seven, is inclosed therewith.

8. Whether any writing, print, mark, or sign, other than authorized by section three hundred and fifty-six, appears thereon or therein.

9. Whether any advertisements not permanently attached are inclosed therewith. (See section 343.)

10. When a postmaster has reason to believe that a publication has, after admission to the pound rate, so changed its character as not to be legally entitled thereto, he may require a sworn statement as to its list of subscribers to be furnished him, which, with any other facts or evidence within his knowledge, he will forward to the Third Assistant Postmaster-General.

SEC. 345. RECORD OF SECOND-CLASS MATTER.—Postmasters must keep a record of all publications of the second class mailed at their post-offices, and send a duplicate thereof to the Third Assistant Postmaster-General, and report to him on the first day of each month any change made therein.

SEC. 346. SUBMITTING FALSE EVIDENCE PUNISHABLE.—That any person who shall submit, or cause to be submitted, for transportation in the mails, any false evidence to the postmaster relative to the character of his publication, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall, for every such offense, be punished by a fine of not less than one hundred nor more than five hundred dollars. (Act of March 3, 1879, § 13, 20 Stats., 359.)

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,
Washington, D. C., June 21, 1890.

SIR: I hand you herewith papers in case No. 121527 C, which is a recent report of Inspector Arrington on the Grange Camp, Va., post-office.

I invite your attention to the statement of Alex. J. Wedderburn herewith, taken by me on the 20th instant, and call your attention particularly to that portion where he states that he sends his mail matter to the post-office at Grange Camp, and that the assistant postmaster affixes stamps, and forwards it, without prepayment for stamps;

and that occasionally, or about every three months, Mr. Wedderburn pays the postmaster for the stamps, which is in violation of section 348, Postal Laws and Regulations of 1887.

As Mr. Arrington has had charge of this case, and understands it pretty thoroughly, it is suggested that he continue to follow it up.

I desire to call you attention to the fact that, in the opinion of this office, a conspiracy was entered into between the postmaster (Luckett) and Wedderburn to defraud the Government. We have a statement which materially bears on that point, from Mr. Wedderburn. I doubt not that the inspector will secure evidence of conspiracy, which, taken in connection with Mr. Wedderburn's statement, will establish a case.

Of course, the inspector will understand that after the conspiracy has been established, that the acts of one are the acts of both.

Attention is also invited to a copy of a report from William S. Ridgely, post-office inspector, to W. P. Ryan, inspector in charge, of March 2, 1888, in case 98847 C. Attention is also invited to the communication of Third Assistant Postmaster-General, of June 20, 1890, which the inspector will please consider in his investigation.

Very respectfully,

E. G. RATHBONE,
Chief Inspector.

J. D. KING, Esq.,
Inspector in charge, Washington, D. C.

POST-OFFICE DEPARTMENT, OFFICE OF CHIEF POST-OFFICE INSPECTOR,
Washington, D.C., July 16, 1890.

SIR: Referring to the matter of the discontinuance of the post-office at Grange Camp, Va., the Postmaster-General desires an inspector to visit that locality again, at the earliest practicable date, for the purpose of ascertaining the relative positions of the different post-offices surrounding Grange Camp. It would be well for the inspector to make a diagram or map, showing the position of the Grange Camp office and other contiguous offices. It is also desired that the inspector get the list of petitioners who petitioned the Department for the establishment of the office, go over it very carefully, and ascertain all about them, particularly as to whether or not they are within the delivery of the Grange Camp office, and whether or not they are bona fide petitioners.

Very respectfully,

E. G. RATHBONE,
Chief Inspector.

J. D. KING, Esq.,
Inspector in charge Washington, D. C.

VIENNA, VA., *July* 15, 1890.

DEAR SIR: Being personally acquainted with this section of Fairfax County, its people, and surroundings, I take pleasure in stating that I believe it to be to the interests of the people of this section that the post-office at Grange Camp be re-established.

The Grange Camp Association is an organization devoted to the welfare of agriculture, and is intended to develop the agriculture of our county.

To discontinue the office at Grange Camp will certainly be an injury not only to the locality, but to the county and to this section of Virginia.

Yours, very respectfully,

A. FREEMAN.

Hon. JOHN WANAMAKER,
Postmaster-General, Washington, D. C.

COMMITTEE ON AGRICULTURE AND FORESTRY, UNITED STATES SENATE,
Washington, D. C., July 7, 1890.

MY DEAR SIR: On the basis of the statements presented in the letters of the Hon. R. R. Farr, United States marshal of the eastern district of Virginia, and the Hon. Park Agnew, of Alexandria, with reference to the recent discontinuance of the post-office at Grange Camp, I shall be much pleased if you can see your way clear to continue the reception and distribution of mails at that point. I understand that the office is

one of growing importance; that it is situated on the ground of the great agricultural fair of the Virginia State Grange, and that the post-office there has in no sense been run for the private advantage of any individual, but rather for the best interests of the various patrons.

Very respectfully yours,

A. S. PADDOCK.

Hon. JOHN WANAMAKER,
Postmaster-General, Washington, D. C.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 15, 1890.

SIR: I beg to acknowledge receipt of your communication of 7th inst., concerning the matter of the discontinuance of the post-office at Grange Camp, Va., in which you state that you will be much pleased if I can see my way clear to continue the reception and distribution of mails at that point. In this connection I beg to state that the recent investigation of another matter at Grange Camp post-office developed the fact that the office was being used almost exclusively by a Mr. A. J. Wedderburn, who publishes a paper at Alexandria, Va., and sends it by freight to Grange Camp, where it is mailed. The inspector's report shows that there are but two families who get mail at Grange Camp aside from Mr. Wedderburn; that on one side, a distance of one and a quarter miles, is a post office, and on the other, at a distance of about one-third or three-quarters of a mile, is another post-office. It seems to be well established, in fact admitted by Mr. Wedderburn, that about three years ago he caused the appointment of a Mr. Luckett, as postmaster at Grange Camp. Mr. Luckett was an employé of Mr. Wedderburn, and four months after his appointment removed to some point 51 miles away, and has not since that time performed the duties of postmaster. Mr. Swazie was appointed deputy postmaster at the instance of Mr. Wedderburn, and is under his control and influence, so, in fact, Mr. Wedderburn controls the office. It has been developed that the assistant postmaster, Mr. Swazie, would receive Mr. Wedderburn's mail from time to time, stamp it, and every three months render a bill to Mr. Wedderburn for the postage, which Mr. Wedderburn would pay by check. This is a clear violation of the postal laws. The revenues of the office go to Mr. Wedderburn, and he orders supplies from the Department as they are needed, supervises the making of returns to the Department, etc.

The investigation is still in progress, the result of which I will be pleased to communicate to you, if you desire it.

As at present advised, I am not prepared to countermand the order discontinuing the post-office at Grange Camp, Va.

Very respectfully,

JNO. WANAMAKER,
Postmaster-General.

Hon. A. S. PADDOCK,
United States Senate, Washington, D. C.

D.—COPY OF A RESOLUTION OF THE HOUSE OF REPRESENTATIVES, AUGUST 16, 1890.

IN THE HOUSE OF REPRESENTATIVES,
Aagust 16, 1890.

Whereas it is charged in the columns of the New York Sun and other responsible journals that gross frauds have been practiced on the Post-office Department by one Alex. J. Wedderburn, in connection with the transmission through the mails of a large number of circulars in the form of a newspaper—entittled the "National Farm and Fireside"—at one-eighth of the rates established by law; and

Whereas, it is stated that said circulars—printed in Alexandria, Va.—were mailed at a post office near that city, at a place called Grange Camp, where a post-office was established at the request of the said Wedderburn, one of his employés being appointed postmaster; and

Whereas it is stated that an investigation of these facts was made by the proper officers of the Post-Office Department, with the result of discontinuing said post-office after the Government had been defrauded out of a large sum of money by the said Wedderburn in the manner stated; and

Whereas it is asserted that criminal proceedings were not instituted against the

said Wedderburn as required by law, the Department of Agriculture having interposed in behalf of said Wedderburn : Therefore,

Resolved, That the Postmaster-General be, and he is, requested to transmit to the House at the earliest practicable moment all the facts in possession of the Post-Office Department in the matter, including the reports of the special agents or inspectors of said Department therein, together with any correspondence had with the Department of Agriculture in respect to said matter.

Attest :

EDW. MCPHERSON,
Clerk.

O

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 464.

FEES AND EXPENSES OF EXAMINING SURGEONS.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

An estimate submitted by the Secretary of the Interior of the "fees and expenses of examining surgeons" for the fiscal year 1890, $150,000.

SEPTEMBER 8, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
September 6, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate submitted by the Secretary of the Interior for "fees and expenses of examining surgeons" for the fiscal year 1890, $150,000.

Respectfully, yours,

W. WINDOM,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, September 5, 1890.

SIR: I have the honor to transmit herewith an estimate of a deficiency of $150,000 in the appropriation for "fees and expenses of examining surgeons" for the fiscal year ended June 30, 1890, submitted by the Commissioner of Pensions, and respectfully urge the favorable and early action of Congress thereon.

Very respectfully,

GEO. CHANDLER,
Acting Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., September 4, 1890.

SIR: I have the honor to invite your attention to the fact that the appropriation of $1,000,000 made by the act of Congress approved

March 1, 1889, for the payment of fees and expenses of examining surgeons for services rendered within the fiscal year 1890, is entirely exhausted, and that a large number of accounts, principally for the quarter ending June 30, 1890, have been rendered to this bureau, but can not be paid on account of the exhaustion of said appropriation. A careful investigation shows that the sum of $150,000 additional will be necessary for the payment of the accounts for services already rendered in said fiscal year and now outstanding. By the terms of the appropriation for the current fiscal year the amount given therein for fees and expenses of examining surgeons for pensions is limited to the payment for services rendered within the present fiscal year, so that I am not at liberty to pay the outstanding accounts chargeable to the appropriation for 1890 out of the current year's appropriation.

I have to request, therefore, that this matter be brought without delay, and through the proper channels, to the attention of the Committee on Appropriations of the House of Representatives, and that they be urged to provide at once for this deficiency.

Very respectfully,

GREEN B. RAUM,
Commissioner of Pensions.

HON. JOHN W. NOBLE,
Secretary of the Interior.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1890, by the Bureau of Pensions, Department of Interior.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Amount appropriated for the fiscal year for which the appropriation is required.
For fees and expenses of examining surgeons for services rendered within the fiscal year 1890.		
For fees and expenses of examining surgeons for services rendered within the fiscal year 1890: And each member of each examining board shall, as now authorized by law, receive the sum of $2 for the examination of each applicant, whenever five or a less number shall be examined on any one day, and $1 for the examination of each additional applicant: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examination made on the next examination day the fee of $1 only, until twenty examinations shall have been made....	$150,000.00	$1,000,000.00

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 465.

LA FAYETTE MONUMENT.

A COMMUNICATION FROM THE SECRETARY OF WAR AND CHAIRMAN OF THE COMMISSION ON THE ERECTION OF A MONUMENT TO GENERAL LA FAYETTE, REQUESTING THAT AN APPROPRIATION BE MADE TO ENABLE THE COMMISSION TO CARRY INTO EFFECT THE PROVISIONS OF THE CONCURRENT RESOLUTION OF CONGRESS, PASSED AUGUST 28, 1890, CHANGING THE SITE OF SAID MONUMENT.

SEPTEMBER 10, 1890.—Referred to the Committee on Appropriations.

WAR DEPARTMENT,
Washington, D. C., September 9, 1890.

SIR: In behalf of the commission for the erection of a monument to General La Fayette and his compatriots, created by act of March 3, 1885, I have the honor to state that, to comply with the provisions of the concurrent resolution of Congress, passed August 28, 1890, an appropriation of $5,000 will be required to put in a foundation for the monument at the new site; to move from La Fayette Square so much of the monument as is already set; to put the same in place in a new location; and to improve the grounds around the monument. Your commission urge that this appropriation may be made during the present session of Congress, for, should it not be done, they will be compelled to have the monument set temporarily, for the purpose of inspection, in its present site, in order to fulfill the obligation with the sculptors, as the final payment can not be made to them until the monument is put in place.

Your commission suggests the following language for the appropriation: "To enable the commission having charge of the construction of the monument to General La Fayette and his compatriots to move from La Fayette Square so much of the monument as is set in that square, and for preparing and setting the foundation, and for improving the grounds around the same, at a new site to be selected by the said commission, five thousand doliars, or so much thereof as may be necessary."

Very respectfully,

REDFIELD PROCTOR,
Secretary of War and Chairman of the Commission.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 466.

REPEAL OF A PROVISION OF THE SUNDRY CIVIL ACT.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

SUBMITTING

Recommendations by the Second Comptroller and Second and Third Auditors that the provisions of the sundry civil act which require that all accounts resulting from the disbursements of the appropriations for the Signal Service or Corps shall be audited by the Third Auditor and Second Comptroller of the Treasury be repealed.

SEPTEMBER 16, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., September 16, 1890.

SIR: I have the honor to invite the attention of Congress to the provision in the sundry civil act approved August 30, 1890, respecting the settlement of the accounts of the Signal Service or Corps, as follows:

> That all accounts of whatever nature resulting from the disbursement of any of the appropriations made for the Signal Service or Corps shall be audited and adjusted by the Third Auditor and Second Comptroller of the Treasury;

and to transmit herewith for the consideration of Congress the recommendations made by the Second Comptroller on the 13th instant, and by the Second and Third Auditors on September 4 and 5 respectively, that said provision be repealed.

Respectfully yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,
SECOND COMPTROLLER'S OFFICE,
Washington, D. C., September 13, 1890.

SIR: I have the honor to invite your attention to the proviso in the sundry civil act, approved August 30, 1890, which so seriously affects the Treasury accounting system, impairing its efficiency and intro-

ducing confusion in the records, that I am constrained, in view of these facts and of the complications which must necessarily arise in three of the bureaus of the Treasury Department, namely, the Second Auditor's Office, the Third Auditor's Office, and the Second Comptroller's Office, to request that you urge upon Congress the necessity for repeal of the proviso in question.

The proviso referred to is the following:

> That all accounts of whatever nature resulting from the disbursement of any of the appropriations made for the Signal Service or Corps shall be audited and adjusted by the Third Auditor and Second Comptroller of the Treasury. (See page 32 of Public Act No. 245.)

In this connection I have also the honor to invite your attention to the inclosed letter of the Third Auditor, dated September 4, 1890, and to that of the Second Auditor, dated September 5, 1890, calling attention to the same proviso and to some of the serious complications which will ensue if it is not immediately repealed.

The proviso contained in the sundry civil act of the last fiscal year (1890) and continued in that for the present year (1891) providing for the payment of the enlisted men of the Signal Corps by one check, upon one properly certified voucher, instead of as theretofore by two or more checks and vouchers, was and is of undoubted advantage to the Signal Service as well as to the Signal Office, and of no disadvantage to the accounting officers of the Treasury. I am therefore of opinion that the proviso should remain as it now stands.

Bu the new proviso, above referred to, taking away from the Second Auditor the auditing and adjustment of the accounts of a single disbursing officer and conferring the duty upon the Third Auditor, who has never heretofore had jurisdiction of the appropriations involved, can be of no great advantage to the Signal Office, but is of positive disadvantage, present and prospective, to the Second Auditor, the Third Auditor, and the Second Comptroller.

I have the honor to be, very respectfully,

B. F. GILKESON,
Comptroller.

Hon. WILLIAM WINDOM,
Secretary of the Treasury.

TREASURY DEPARTMENT,
THIRD AUDITOR'S OFFICE,
Washington, D. C., September 4, 1890.

SIR: From a copy of the act (Public, 245) of the 30th ultimo, making appropriations for "sundry civil expenses of the Government for the fiscal year ending June 30, 1891," I find the appropriations for the Signal Service on pages 31 to 35 inclusive, and on examination of the same I find on page 32 a provision which makes it part of the duties of the Third Auditor to settle all the accounts for the disbursement of funds in support of said Corps or Service. I scarcely need remind you that prior to the fiscal year 1885 certain of the expenses of the Signal Service were paid from the appropriations for the support of the Army. In the act of July 7, 1884, however, the appropriations for the Signal Service were segregated from those for the support of the Army, and the nature of the expenditure indicated the auditing office which should adjudicate the respective classes of accounts.

Paragraph 2 of section 277, Revised Statutes, provides, it shall be the duty of the Second Auditor to adjust "all accounts relating to the pay and clothing of the Army, the subsistence of officers, bounties, and premiums, military and hospital stores," * * * and paragraph 3 of the same section provides, it shall be the duty of the Third Auditor "to receive and examine all accounts relative to the subsistence of the Army, the Quartermaster's Department, and generally all accounts of the War Department other than those provided for," * * * and that section only reaffirms the division of duties made by the act of March 3, 1817."

From the proviso, in page 31 of the act (public No. 245), it will be observed that certain of the classes of accounts now adjudicated by the Second Auditor are, so far as relates to the Signal Service, to be adjudicated hereafter by the Third Auditor, thus after about three-quarters of a century's business changing the duties of this office and those of the Second Auditor's office so that the archives of either office will not hereafter contain all the accounts of either of the classes referred to, which will tend to great inconvenience when investigations are necessary hereafter.

The Second Auditor's office is fully equipped with all the machinery of system necessary to adjust the accounts of the character referred to, of the Signal Service. On the other hand, it will require this office to duplicate the system of the Second Auditor, and the special training of an examiner in this office for that class of work; and all this to adjust the accounts of a single disbursing officer, whose accounts of that character are not very voluminous. Such being the case, it appears to me the change made by the act referred to is prejudicial to the public interests and not in harmony with good business practice.

The foregoing is submitted for your consideration. If you concur in the views outlined above, I suggest you bring the matter to the attention of the Hon. Secretary of the Treasury, with recommendation that he request Congress to repeal the proviso in question by joint resolution or otherwise, as may be best.

Respectfully yours,

W. H. HART,
Auditor.

Hon. B. F. GILKESON,
Second Comptroller.

TREASURY DEPARTMENT,
SECOND AUDITOR'S OFFICE,
Washington, D. C., September 5, 1890.

SIR: I have the honor to invite your attention to the following proviso in the sundry civil act, approved August 30, 1890 (public No. 245, page 32).

That all accounts, of whatever nature, resulting from the disbursement of any of the appropriations made for the Signal Service or Corps shall be audited and adjusted by the Third Auditor and Second Comptroller of the Treasury.

So far as the Signal Service is concerned, this proviso has the effect of constructively repealing existing laws, which require that all accounts relating to the pay and clothing of the Army and to military and hospital stores shall be received and examined by the Second Auditor, and that payments to officers shall be made by paymasters.

As a necessary result of this new legislation the accounts of the offi-

cers and men of the Signal Service will be under the jurisdiction of two accounting officers, neither of which will have a complete record of said accounts; the Second Auditor having those which accrued prior to August 30, 1890, and the Third Auditor those which accrued subsequent to that date. Such a division of accounts is not only undesirable, but objectionable for many reasons, which will no doubt at once suggest themselves.

Since July 1, 1890, all payments to officers and enlisted men of the Signal Service have been made on one voucher, in accordance with the requirements of the sundry civil act of March 2, 1889, and the accounts have been rendered to this office. So far as I am aware, this method of payment and rendition of accounts has worked satisfactorily, and there does not appear to be any reasons for changing it which are not outweighed by the serious objections that may be urged against the exceptive character of the new law.

Respectfully, yours,

J. N. PATTERSON,
Auditor.

The SECOND COMPTROLLER.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. DOC. No. 467.

ADDITIONAL EXPENSES OF THE UNITED STATES COURTS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

Estimates of deficiencies for the expenses of the United States Courts.

SEPTEMBER 19, 1890.—Referred to the Committee on Appropriations.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., September 19, 1890.

SIR: In accordance with the request of the Acting Attorney-General of the 18th instant, estimates of deficiencies and claims on accounts examined in the office of the First Comptroller, and not included in former reports to Congress, under appropriations for expenses of the United States Courts, are herewith submitted, as follows:

Expenses of the United States courts.

For pay of special assistant attorneys, 1889	$712.10
For pay of special assistant attorneys, 1890	6,523.91
For special compensation of district attorneys, 1889	385.00
For special compensation of district attorneys, 1887. (To pay claim of O. A. Galvin, of Massachusetts)	150.00
Total	7,771.01

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., September 18, 1890.

SIR: I this day approve an account in the sum of $150 from the appropriation special compensation United States Attorneys 1887; and another account for $350, special assistant attorneys appropriation 1890.

I respectfully request that these items be added to the statement

made heretofore by your office to the Appropriation Committee of the House of Representatives together with the other bills that are in your office not reported, because received since your last statement was made to the committee.

I wish that the Appropriation Committee may have in hand by to-morrow morning a statement of all matters of accounts approved by this Department for legal services of whatever character for the fiscal years 1888, 1889, and 1890, inclusive, of those mentioned in this communication.

Very respectfully,

WM. H. TAFT,
Acting Attorney General.

The FIRST COMPTROLLER OF THE TREASURY.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { Ex. Doc. No. 468.

WILLIAM SLUSHER.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A copy of a communication from the Commissioner of Indian Affairs and also affidavits relative to the depredation claim of William Slusher.

SEPTEMBER 26, 1890.—Referred to the Select Committee on Indian Depredation Claims.

DEPARTMENT OF THE INTERIOR,
Washington, September 24, 1890.

SIR: I have the honor to transmit herewith a copy of a communication of the 18th instant from the Commissioner of Indian Affairs, inclosing affidavits of William Slusher and William Watson relative to the depredation claim of William Slusher, which was transmitted to Congress January 7, 1887.

In compliance with the request of the Commissioner, I have the honor to forward the said affidavits for filing with said claim.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 18, 1890.

SIR: I have the honor to inclose herewith additional testimony in depredation claim No. 2863, of William Slusher, as follows: Supplementary affidavit of William Slusher and affidavit of William Watson, which testimony has been recently filed in this office by Glen W. Cooper, attorney for claimant. This claim was reported to Congress January, 1887 (H. R. Ex. Doc. 77, Forty-ninth Congress, second session), and I therefore respectfully recommend that the papers herewith be also transmitted to Congress for filing with the claim to which they relate. It is deemed proper to add that upon examination of the affi-

davits inclosed nothing appears therein which would warrant this office in changing the conclusions heretofore reached as to the merits of this claim.

Very respectfully,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

[Affidavit in Indian Depredations Claims—In the claim of William Slusher for Indian depredations.]

STATE OF IOWA, *Fremont County ss:*

Personally came before me, a notary public in and for the aforesaid county, Eli W. Slusher, of Fremont Co., the State of Iowa, who, being first duly sworn, declares in relation to the aforesaid claim as follows, viz: That on or about the 27th day of October, 1864, property belonging to the above-named claimant as below mentioned was taken by Indians of the Sioux tribe at or near Plum Creek, in the State of Nebraska, under the following circumstances:

The said claimant at the time was a freighter of goods, and was traveling at the time from Idaho Territory to Hamburg, Fremont County, Iowa, and had with him a team of two mules and two mares and one horse. I know William Glover and Perry McLum, who were with claimant at the time the stock were taken. Claimant bought one mule from a man by name of Catron, in Salina County, Missouri, and the other mule claimant bought from a man on the plains whose name is to this affiant unknown. Claimant paid for the first-described mule the sum of $185 and for the other one the sum of $200 in gold. The mules were large and about seven years of age and about fifteen hands and one-half high. One of the mares claimant bought from a man in Andrew County, Mo., by the name of Calhoun. She was at the time she was taken about eight years old. The other mare was when taken four years old. The other horse was when taken four years old. The last two described horses were raised by claimant. There was also taken at the same time from claimant two sets of harness, cost $45 per set, and the same were purchased the summer they were taken, making a total cost of $90 for the two sets.

I am the son of claimant and am attorney in fact for him, he being too old to look after his business, and the only interest I have in the prosecution is as above stated.

ELI W. SLUSHER.

Sworn and subscribed to by Eli W. Slusher this 1st day of June, A. D. 1888, and I certify that I read the foregoing affidavit over to him before signing the same, and I am not interested in the prosecution of this claim, and all interlineations were made before signing.

[SEAL.]

SAMUEL HOLMES,
Notary Public.

[In the matter of the claim of William Slusher for depredations of Indians.]

STATE OF IOWA, *County of Fremont:*

Before me, a notary public in and for the aforesaid county and State, personally appeared William Watson, who deposes and says: That he is the same person who made an affidavit on the 19th day of September, 1865, in the matter of the claim of William Slusher for losses by depredation of Sioux Indians. He states further, that on the occasion of said depredations at or near Plum Creek, Nebraska, the Indians, believed to be Sioux, attacked the claimant and his party where they were camped, about 9 or 10 o'clock in the evening, and killed Mr. Beson and wounded three others of the party, and took three horses and two mules and two sets of harness from the claimant. The horses were large American horses, and the mules were of large size. The mules and horses, being used for freighting, were necessarily of a good size, and were selected, I believe, for their strength. It was a dark, rainy night when the Indians stole up to where the animals were picketed and cut the pickets and drove the animals away. I knew William Glover and Perry McGlum, who were with us at the time. I was with the claimant for about eight to ten weeks and became familiar with the animals which were taken.

WM. WATSON.

Sworn to and subscribed before me this 10th of July, 1888, and I further certify that the aforesaid affidavit was read to the affiant before he subscribed and made oath thereto. I am in no wise interested in the claim therein mentioned nor concerned in its prosecution.

[SEAL.]

J. P. BEACH,
Notary Public.

51ST CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { EX. DOC. No. 469.

THOMAS E. OWEN.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A copy of a communication from the Commissioner of Indian Affairs, and also affidavits relative to the depredation claim of Thomas E. Owen.

SEPTEMBER 26, 1890.—Referred to the Committee on Indian Depredation Claims.

DEPARTMENT OF THE INTERIOR,
Washington, September 24, 1890.

SIR: I have the honor to transmit herewith a copy of a communication of the 18th instant from the Commissioner of Indian Affairs, inclosing affidavits of Thomas E. Owen, Alexander Wamsley, and G. W. Thompson, relative to the depredation claim of Thomas E. Owen, which was submitted to Congress, January 7, 1887.

In compliance with the request of the Commissioner, I have the honor to forward the said affidavits for filing with said claim.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 18, 1890.

SIR: I have the honor to inclose herewith additional testimony in depredation claim, No. 1338, of Thomas E. Owen, as follows: Supplementary affidavit of Thomas E. Owen, affidavit of Alexander Wamsley, and affidavit of G. W. Thompson, which testimony has been recently filed in this office by Glen W. Cooper, attorney for the claimant. This claim was reported to Congress, January, 1887, (H. R. Ex. Doc. 77, Forty-ninth Congress, second session, and I therefore respectfully recommend that the papers herewith be also transmitted to Congress for filing with the claim to which they relate. It is deemed proper to add

that upon examination of the affidavits inclosed, nothing appears therein which would warrant this Office in changing the conclusions heretofore reached as to the merits of this claim.

Very respectfully,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

TERRITORY OF NEW MEXICO, *County of Colfax*, ss:

Before me, Homer E. Byler, a notary public in and for the county aforesaid, personally appeared Thomas E. Owen, who being duly sworn according to law, deposes and says that in the matter of his claim, No. 1338, filed in the Interior Department, for depredation of Arapahoe Indians in 1872, the stock taken was two horses, two mares, and one mule. One of the horses, for which $250 is charged in my claim, was at the time five years' old, color bay, height 16 hands, and was foaled and raised in Kentucky. I bought him and his mate in Lexington, Mo., for my carriage team. They were blood bays and fine drivers; and I bought them from a man who had just brought them from Kentucky, but I do not now remember his name.

The pair cost me then above $400, and this was about six months before this horse was taken by these Indians. This horse was worth at least $250. The other horse, for which $75 was charged, was a brown half-breed horse, a very good horse, which was worth all the money charged for him, and it cost me $60. The black mare, for which $100 is charged, cost me $80 in Kansas. The mare, for which $125 is charged, was raised in Kansas and cost me $100; but both animals were, at the time they were taken, in good condition and worth considerable more than what I had paid for them.

The mule taken was 14 hands high and was worth $100 or more. The prices put on these animals are not in the least too large, but are what I valued them at the time, and I would not have sold them for less if I could have avoided it. I owned no Mexico ponies and had none amongst my stock at the time it was taken.

THOMAS E. OWEN.

Sworn to and subscribed before me, this day, by the above-named affiant; and I further certify that I read said affidavit to said official, and acquainted him with its contents before he subscribed and made oath thereto, and I further certify that I am in nowise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and official seal this 3d day of September A. D. 1888.

[SEAL.] HOMER E. BYLER,
Notary Public.

Commission expires November 21, 1888.

TERRITORY OF NEW MEXICO, *County of Colfax*, ss.

In the claim of Thomas E. Owen, for Indian depredations, personally came before me, a ——— in and for the aforesaid county and Territory, the affiant, Alexis Wamsley, of Clayton, in the county of Colfax, Territory of New Mexico, who being first duly sworn, declares in relation to the aforesaid claim, as follows, viz.:

That on or about the —— day of September, 1872, property belonging to the said claimant, as below mentioned, was taken by Indians of the Arapahoe tribe at or near Dry Cimarron, in Colfax county, in the Territory of New Mexico, as I was at the time it occurred informed by reliable parties who are not interested and whom as well as the claimant I believed stated the truth.

The following is a list of the property as aforesaid: 1 bay horse (American), 1 black mare (American), 1 black mare, 1 brown horse, 1 black mule, of the value as hereafter stated.

The bay horse was large, about 16 hands high, and I believe he was worth then and there about $250 at least; his age was about five years or so. The one mare was worth $125, and the other worth $100, about. The brown horse was worth at least $75, I think, and the mule at least $75. These horses and mares were American bred and not native or bronchos. This stock being in all of the value of $625.

The foregoing is a full statement of the amount of the property taken as stated.

That the several articles were of the value therein charged at the time and place the same were taken; that I acquired the information above stated as follows: By

seeing the said stock on the place of the claimant at different times in 1871 and 1872, and shortly before it was taken by said Indians, and that I have no interest in said claim and am not concerned in its prosecution.

ALEXIS WAMSLEY.

TERRITORY OF NEW MEXICO, *County of Colfax, ss.*

Sworn to and subscribed before me, this day, by the above-named affiant; and I further certify that I read said affidavit to said affiant and acquainted him with its contents before he subscribed and made oath thereto, and I further certify that I am in nowise interested in said claim, nor am I concerned in its prose ution.

Witness my hand and official seal this 3d day of September, 1888.

[SEAL.] HOMER E. BYLER,
Notary Public.

Commission expires November 21, 1891.

STATE OF COLORADO, *County of Las Animas.*

In the matter of claim of Thomas E. Owen, now of Capulen, New Mexico, and formerly of Colorado, for loss of horses and mule in 1872, by depredations of Arapahoe Indians, before me, a notary public, in and for the State and county aforesaid, personally appeared G. W. Thompson, of said county, who, being duly sworn according to law deposes and says that he is personally acquainted with the claimant, Thomas E. Owen, and has known him over sixteen years. That he knows that in 1872 the claimant owned a fine bay horse which deponent saw at different times on claimant's ranch in Colorado, and which, amongst other stock (as the deponent was informed and believes), the claimant had taken from him by the Arapahoe Indians in 1872. The said horse was a bay, and aged about seven to nine years in 1872, and in my judgment was worth $250. The horse was an American horse and a good driver. I am a judge of the value of horses, being a dealer in livestock, and am at present running a stock farm in Colorado at Trinidad.

G. W. THOMPSON.

Sworn and subscribed before me this 21st day of September, A. D. 1888.

[SEAL.] JOHN W. DOUTHIT,
Notary Public.

Commission expires September 11, A. D. 1890.

51ST CONGRESS, 1st Session. | HOUSE OF REPRESENTATIVES. | Ex. Doc. No. 470.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

In answer to the resolution of the House of Representatives of August 20, 1890, concerning the enforcement of proscriptive edicts against the Jews in Russia, a report from the Secretary of State upon the subject.

OCTOBER 1, 1890.—Referred to the Committee on Foreign Affairs.

To the House of Representatives:

I transmit herewith, in answer to the resolution of the House of Representatives of August 20, 1890, concerning the enforcement of proscriptive edicts against the Jews in Russia, a report from the Secretary of State upon the subject.

BENJ. HARRISON.

EXECUTIVE MANSION, *October* 1, 1890.

The PRESIDENT:

The Secretary of State, to whom was referred a resolution adopted by the House of Representatives on August 20, 1890, requesting the President—

> To communicate to the House of Representatives, if not incompatible with the public interests, any information in his possession concerning the enforcement of proscriptive edicts against the Jews in Russia, recently ordered, as reported in the public press; and whether any American citizens have, because of their religion, been ordered to be expelled from Russia, or forbidden the exercise of the ordinary privileges enjoyed by the inhabitants,

has the honor to submit a report, accompanying a selection of the correspondence on file in the Department of State which is pertinent to the objects of the resolution, to the end that the same be communicated to the House of Representatives, if to do so be not deemed incompatible with the public interests.

The inquiries of the resolution embrace two distinct subjects. In the first place, request is made for information touching the report, to which considerable publicity has been given by the press of the United States and of Europe, that the Government of Russia has recently ordered the enforcement of proscriptive edicts against the Hebrews of that country, which, it is said, if applied, would result in the expulsion of a large number, estimated at a million or more of Russian Jews. The second request is for information of any acts of expulsion or religious oppression done in respect of American citizens in the Russian Empire.

In both aspects the present resolution appears to supplement and continue the inquiry propounded in the former resolution of the House of Representatives, adopted January 30, 1882, "relative to the expulsion of American Israelites from Russia and the persecution of the Jews in the Russian Empire." The message of the President sent to the House of Representatives on May 2, 1882, contained a full selection of the correspondence on the subjects named, found in the files of the Department of State, for some ten years previously. It was printed as House Executive Document No. 192, Forty-seventh Congress, first session; and a copy is hereto appended in order that the present report may cover the whole ground of inquiry as fully as possible. Since that time correspondence has been had with the Government of Russia in several cases of alleged interference by the Russian authorities with the rights of citizens of the United States professing or being supposed to profess the Jewish faith. It is, therefore, thought proper to submit a selection of such correspondence as showing that the Government of the United States has omitted no proper occasion of remonstrance against the application of a religious test to our citizens in Russia, or having interests in Russia, and against the enforcement of a disqualification founded on such test; which proceeding is without warrant of recognition in the treaty stipulations betweed the United States and Russia, and moreover, is repugnant to the fundamental doctrine of freedom of conscience and equality of religious belief on which organized society almost universally rests in our day.

There is room for gratification in the fact that instances of interference with the liberty and treaty rights of our citizens in Russia on the professed ground of their religion are infrequent. Holding, as the Government of Russia does, that a change of citizenship without imperial permission is an offense, for which punishment may be inflicted if the person return within Russian jurisdiction, it is worthy of note that very few naturalized citizens of Russian origin, revisiting Russia and paying orderly respect to the laws of the Empire, have been expelled or punished. In the exceptional instances, the action of the Russian authorities has generally developed an allegation that the person is a Jew. This statement is often put forward in connection with some other charge, either of political misconduct or evasion of military duty or infringement of the conditions of residence and trade-license with which the mercantile operations of Jews in Russia have been long surrounded. No instance is recalled of any native American Jew, not of Russian origin, visiting Russia without engaging in local trade having been molested. Hebraism appears, therefore, to be regarded in practice by the Russian authorities as an incident, important in itself in affecting the result, but still accessory to other conditions, political or commercial, which determine the treatment of the individnal.

One of the cases disclosed by the submitted correspondence, that of Mr. Adolph Kutner, although not involving actual expulsion, is interesting in that his petition, as a native of Russian Poland naturalized in the United States, to be permitted to revisit the country of his birth, having been presented through the good offices of the United States Legation at St. Petersburg, was met by an official request to be informed, among other facts, of the religion of the applicant. In reply, the representative of the United States was instructed that, in conveying the inquiry of the Imperial Foreign Office to Mr. Kutner, the Department of State found itself unable to interrogate him as to the religion professed by him, inasmuch as the Constitution of the United States prohibits the application of any religious test whatever in respect of our

citizens. In dealing with all this class of cases, the Department has scrupulously abstained from taking official cognizance of the religious faith of any citizen. It can not inquire into it as a fact, and it can neither affirm nor deny that an individual holds a particular creed. As was said by Mr. Evarts, when Secretary of State, in an instruction to Mr. John W. Foster, dated March 3, 1881:

> This Government does not know or inquire the religion of the American citizens it protects. It can not take cognizance of the methods by which the Russian authorities may arrive at the conclusion or conjecture that any given American citizen professes the Israelitish faith. The discussion of the recent cases has not as yet developed any judicial procedure whereby an American citizen, otherwise unoffending against the laws, is to be convicted of Judaism, if that be an offense under Russian law.

And in an instruction shortly afterwards addressed to Mr. Foster under date of July 29, 1881, the undersigned said of the relation of the State to its citizens, that the Government of the United States

> can make absolutely no discrimination between them, whatever be their origin or creed. So that they abide by the laws, at home or abroad, it must give them due protection and expect like protection for them. Any unfriendly or discriminatory act against them on the part of a foreign power with which we are at peace would call for our earnest remonstrance, whether a treaty existed or not.

A large part of the accompanying correspondence is taken up by the case of Hermann Kempinski, a naturalized citizen of Russian origin, who, on returning to his former home, was proceeded against for non-performance of military duty. The statement, which was not questioned by Kempinski or his friends, that he was a Jew, appears to have been merely incidental, for it is not known that Russian Jews are claimed to be subject to conditions of military service, or to penalties for non-fulfillment, different from those in respect to Russians professing any other creed. The discussion was followed entirely on the ground of Kempinski's American citizenship, until removed by the prisoner's petition and by his alleged renunciation of the status acquired by naturalization, to the domain of imperial clemency. It is understood that Kempinski's application has been successful, and that, upon his release, he has returned to the United States.

Another class of questions, affecting in some instances the interests of citizens of the United States, of Russian origin, residing in the United States, has been the occasion of correspondence during the past few years. The diplomatic and consular representatives of Russia in the United States have in various cases refused to authenticate legal documents executed in the United States and relating to the transfer or inheritance of real property in Russia, on the ground that, under existing Russian law, such transfer or inheritance was invalid because the parties were Jews. The question concerns that branch of private international law which relates to the municipal regulation of the rights of aliens or of non-residents to hold real property. While this department found occasion to emphasize its incompetency to ascertain or recognize the religious faith imputed to the parties, especially when, as happened in some instances, they were Russian subjects sojourning in this country, it was not in a position to bring about any modification of the Russian municipal requirements in regard to property exclusively within Russian jurisdiction. As this correspondence affects private interests, it is not deemed advisable to disclose the personal affairs of the parties by its publication. The fact is mentioned as tending to show that the domestic regulation of the property rights of Russian Jews has been more or less systematically enforced under existing edicts, and not in consequence of newly enacted proscriptive measures.

The subject has thus far been presented with regard to the rights and treatment of American citizens within Russian jurisdiction, thus meeting the second branch of the resolution now under consideration. The first part of the resolution remains to be examined on broader grounds, inasmuch as it relates to the course which, it is said, the Imperial Government of Russia is about to adopt or enforce in respect to a great number of native Russian subjects.

Whatever may be the abstract obligation of one nation to refrain from interference in the internal concerns of another, it is yet conceivable that the domestic policy of a State toward its own subjects may be such as to arouse legitimate concern, either because at variance with the large principles of humanity which control enlightened communities, or because the operation of such policy may tend to perturb the general interests of other States. A people, nurtured in respect for tolerance, recognizing the equal rights of all men to liberty and its attendant privileges, and venerating the axiom that the obedience of the individual to the law, and the protection of the natural rights of the individual by the law, are reciprocal obligations, could not fail to be alarmed at a report that a powerful Government was about to take measures resulting in the expulsion from its territory of vast numbers of its subjects because of the religion professed by them. Such a step, if in reality contemplated, would not only wound the universal and innate sentiment of humanity but would suggest the difficult problem of affording an immediate asylum to a million or more of exiles without seriously deranging the conditions of labor and of social organization in other communities.

When, therefore, the Department of State learned of the report that the Russian Government was about to take steps for the wholesale expulsion of Jews from Russia, an immediate inquiry as to the truth of the rumor was made by telegraph on 31st July last, of the diplomatic representative of the United States at St. Petersburg. The reply of the chargé d'affaires *ad interim*, Mr. George W. Wurts, received the next day, announced the rumor to be without foundation.

The reports of the contemplated expulsion continuing, and more definite representations being made that no new step was intended, but rather the rigid enforcement of existing edicts of 1882 hitherto leniently administered, whereby a large part of the Jewish population of the Russian Empire would be deprived of the means of livelihood and forced to emigrate, Mr. Wurts was, on the 7th of August, directed to telegraph the main features of those edicts, and to make a full report by mail of all that he could learn on the subject.

Mr. Wurts replied August 9 that he had the highest authority for maintaining that the Russian Government does not contemplate any change from the present lenient enforcement of the Jewish edicts of 1882. He added that the general legislation in regard to Hebrews in Russia, if applied, would be of an oppressive character.

Subsequently, under date of August 14, 1890, Mr. Wurts communicated, by telegraph and mail, the text of article 272 of the Ordinance No. 43, of 12th May, 1882, respecting the application of temporary regulations relating to Jews in the empire. The provisions of this article, comprising four sections, are as follows:

1. As a temporary measure, and pending the revision, in the order established, of the laws relating to the Jews, to prohibit the latter in the future from settling anew outside of towns and boroughs, with exception in this respect only of the present existing Jewish colonies engaged in agriculture.

2. To suspend temporarily the conclusion of deeds of sale and mortgage bonds in

the name of Jews, and similarly the attestation in the name of Jews of leases for real estate situated outside the limits of towns and boroughs, and of powers of attorney for the management and direction of such estate.

3. To prohibit Jews from trading on Sundays and the chief Christian holidays, with the provision that the closing on the days indicated of the trading establishments belonging to Jews should take place in the order established for such purpose in regard to closing establishments belonging to Christians.

4. The measures indicated in paragraphs 1, 2, and 3 are only to be applied in those provinces wherein the Jews permanently reside.

This provisional enactment was confirmed by imperial rescript on May 3, 1882.

The full text of the several edicts of 1882, to which the above provisional ukase is a supplement, is not in the possession of this Department, nor of the legation at St. Petersburg. The edicts are very voluminous and, within the compass of some thousands of articles, comprise a code regulating the civil, social, industrial, educational, and religious relations of Jews, among themselves and to the community in which they reside. No complete translation into English is known to exist. A publication in the New York Times of August 24, 1890, purports to give a translation of a number of the more important and interesting provisions of the so-called "May Edicts" of 1882, and a copy is hereto appended, without, however, vouching for its accuracy.

The promised full reports of Mr. Wurts have been received. They are to some extent confidential, repeating the opinions of persons in high standing in St. Petersburg, whose views as to the relation of the Russian Jews to the State, and whose expressed conviction that the Imperial Government contemplates no course of action which would drive a fourth part, or more, of the four millions of Jews now in the empire into exile, have been communicated to him under friendly reserve. The substance of his reports may be thus summarized:

The rumor that there is in contemplation by the Government any project of law looking to the general expulsion of Hebrews from the empire is not founded; the tendency in certain high official quarters being towards a less severe application of the laws now in force against that race. This tendency, while not springing from any increased sympathy with them, has its source in economic reasons due to the greatly needed commercial services of the Jews in various channels of trade, especially in the grain trade, much of which is in their hands.

There are said to be two opposite influences bearing upon the Jewish question, that of the administrative authorities now as heretofore sternly set against the toleration of the race, and that of the financial authorities, which is favorable to leniency in the treatment of this people because of their several useful employments.

The Government itself standing between these influences inclines not only to regard the rigorous application of exclusion laws to Israelites as impolitic, but even to conserve the people of this race as, in certain respects, an absolutely necessary element in the empire. The entire good faith of these intimations is not questioned by those of Mr. Wurts's colleagues at St. Petersburg, representing governments interested equally with our own in the question.

It may be proper to consider the effect of certain recent newspaper articles touching the subject of this report, notably a letter and an editorial article in the London Times of July 30, last, and an article in the Jewish Chronicle, of London, recapitulated in the Globe of that city, both of which created marked impressions in the Russian capital, not favorable to the Hebrew race. The publications in the London Times elicited from the Novoe Vremya, the leading Russian newspaper, certain

comments, the substance of which is herewith submitted. The article in the London Jewish Chronicle was regarded as an admission on the part of that representative journal of certain violations of the laws of the Empire for the governance of the Jews, to which might be traced the impelling cause of recent restrictive measures said to have been proposed by the Government of the Czar, or resuscitated from the great volume of comparatively dormant legislation in relation to that people. A copy of the Globe's article in point is also submitted herewith.

The gradual and undisturbed advance of the Jewish population into prohibited districts would seem to have attained a stage where sufficient reasons appeared to the Government for repelling it; and to the enforcement, or projected enforcement of administrative acts of repulsion may in turn be traced the alarm excited in regard to the rumored edicts of expulsion so emphatically denied in official quarters.

Recent discussion of the subject in diplomatic circles at St. Petersburg attracted general attention to the fact that the solicitude of each of several of the foreign states there represented in respect to the status of the Jewish race in Russia found simultaneous expression; and this was regarded as somewhat suggestive of concerted action between the more apprehensive portion of the race in the empire, and their fellow Hebrews in other countries. A prominent Jew in St. Petersburg, however, apparently well known to the diplomatic corps there, and in a position to speak with the weight of experienced judgment, expressed the opinion that there was no occasion for apprehending that the Government intended to issue new edicts, or to enforce rigorously those now in existence for the purpose of expulsion. The present laws are ample for that purpose; but the general sentiment is that the obvious importance of the Hebrews as factors in Russian commerce is sufficient warrant for discrediting rumors that the Government entertains the design of expelling them.

The whole tenor of the information so obtained and reported by Mr. Wurts, indicates a disposition on the part of the Russian Government generally to mitigate the rigid enforcement of existing laws applicable to the Jewish people, although the imperial ministers of state do not appear to be in a position actively to interfere in individual cases of strict application of those laws in the provinces. The attitude assumed by the ministers of state is negative—a policy of inaction and leniency—and perhaps, on that account, the more practical under the peculiar circumstances.

To sum up the situation, Mr. Wurts' language may be substantially quoted:

> In regard to the assurances given that there is no intention of the Imperial Government to change the present lenient application of the laws in vigor, none more worthy of respect than those mentioned could be obtained. At the same time these same high functionaries would not hold themselves responsible in an isolated case of severity of treatment of Jews which might take place under exceptional circumstances by some governor of a province who, armed with the decrees of 1882, would be justified in their application if he thought proper; but this would not prove that the general policy of mild enforcement of these laws had been changed. It means simply that no orders have been issued to change the manner of application of these edicts; and I can but join with the other diplomatic agents interrogated on the subject in believing that these statements should be accepted.

The resolution of the House of Representatives like the previous resolution of May 2, 1882, suggests an apprehension that the enforcement of general proscriptive measures against Jews in Russia may invade the rights of citizens of the United States resorting to Russia. So far as an examination of the edicts in question has been possible, they appear

to regulate the residence and occupation of Jews domiciled in Russia and forming part of the permanent population of the empire. The trades of Jews, like those of other Russians, are governed by a license system and classified into organized guilds. They are, however, confined within certain limits of residence. So, also, with regard to agricultural colonies, which, when established by Jews, can only lawfully exist in certain provinces and within defined municipal bounds. The regulation of the professions is common to all countries, but in Russia it is notably circumscribed as regards Jews, both in respect of the calling followed, and the locality where its practice is licit. In all these cases the individual is dealt with as a denizen of the Empire, and his pursuits as making part of the labor, trade or vocation of the whole body politic. There may, therefore, be room for reflection as to how far such regulation and control is likely to affect the interests of any American. It is probable that there are few instances where a citizen of the United States will be found to have so far taken up his abode in Russia, by engaging in a regulated trade or calling, subject to the general Jewish edicts, as to have become domiciled there.

Respectfully submitted,

JAMES G. BLAINE.

DEPARTMENT OF STATE,
Washington, October 1, 1890.

LIST OF ACCOMPANYING PAPERS.

No. 1.—Executive document No. 192, House of Representatives, Forty-seventh Congress, first session.
No. 2.—Mr. Hoffman to Mr. Frelinghuysen, No. 221, April 29, 1882.
No. 3.—Mr. Frelinghuysen to Mr. Hunt, No. 5, June 26, 1882, with inclosure.
No. 4.—Mr. Hoffman to Mr. Frelinghuysen, No. 241, July 1, 1882, with inclosure.
No. 5.—Mr. Hoffman to Mr. Frelinghuysen, No. 244, July 15, 1882, with inclosures.
No. 6.—Mr. Hoffman to Mr. Frelinghuysen, No. 246, July 19, 1882, with inclosure.
No. 7.—Mr. Frelinghuysen to Mr. Hunt, No. 7, July 22, 1882, with inclosure.
No. 8.—Mr. Hunt to Mr. Frelinghuysen, No. 5, August 12, 1882, with inclosure.
No. 9.—Mr. Hunt to Mr. Frelinghuysen, No. 10, September 15, 1882, with inclosure.
No. 10.—Mr. Hunt to Mr. Frelinghuysen, No. 18, November 1, 1882.
No. 11.—Mr. Hunt to Mr. Frelinghuysen, No. 21, November 20, 1882.
No. 12.—Mr. Hunt to Mr. Frelinghuysen, No. 32, February 3, 1883, with inclosure.
No. 13.—Mr. Frelinghuysen to Mr. Taft, No. 7, December 18, 1884.
No. 14.—Mr. Taft to Mr. Frelinghuysen, No. 26, January 17, 1885.
No. 15.—Mr. Taft to Mr. Bayard, No. 30, March 18, 1885, with inclosure.
No. 16.—Mr. Lothrop to Mr. Bayard, No. 77, September 7, 1886.
No. 17.—Mr. Bayard to Mr. Lothrop, No. 59, September 23, 1886.
No. 18.—Mr. Bayard to Baron Rosen, October 4, 1887.
No. 19.—Baron Rosen to Mr. Bayard, October 5, 1887.
No. 20.—Mr. Lothrop to Mr. Bayard, No. 150, November 29, 1887.
No. 21.—Mr. Lothrop to Mr. Bayard, No. 152, December 23, 1887, with inclosure.
No. 22.—Mr. Bayard to Mr. Lothrop, No. 108, January 14, 1888.
No. 23.—Mr. Bayard to Baron Rosen, December 27, 1888, with inclosure.
No. 24.—Baron Rosen to Mr. Bayard, December 28, 1888.
No. 25.—Mr. Bayard to Mr. Tree, No. 5, January 2, 1889, with inclosures.
No. 26.—Mr. Tree to Mr. Bayard, No. 13, February 1, 1889, with inclosure.
No. 27.—Mr. Powdermaker to Mr. Blaine, March 11, 1889, with inclosure.
No. 28.—Mr. Klein to Mr. Blaine, March 12, 1889, with inclosures.
No. 29.—Mr. Wurts to Mr. Blaine, No. 18, March 15, 1889, with inclosures.
No. 30.—Mr. Blaine to Mr. Wurts, telegram, March 16, 1889.
No. 31.—Mr. Wurts to Mr. Blaine, telegram, March 17, 1889.
No. 32.—Mr. Wurts to Mr. Blaine, No. 19, March 18, 1889, with inclosure.
No. 33.—Mr. Blaine to Mr. Wurts, No. 32, April 20, 1889, with inclosure.
No. 34.—Mr Blaine to Mr. Foote, April 20, 1889.
No. 35.—Mr. Klein to Mr. Blaine, April 23, 1889.
No. 36.—Mr. Wharton to Mr. Klein, April 27, 1889.

No. 37.—Mr. Wurts to Mr. Blaine, telegram, May 12, 1889.
No. 38.—Mr. Wurts to Mr. Blaine, No. 34, May 12, 1889, with inclosure.
No. 39.—Mr. Wharton to Mr. Klein, May 15, 1889.
No. 40.—Mr. Klein to Mr. Wharton, May 28, 1889.
No. 41.—Mr. Klein to Mr. Blaine, telegram, June 26, 1889.
No. 42.—Mr. Wharton to Mr. Klein, June 27, 1889.
No. 43.—Mr. Adee to Mr. Wurts, No. 50, September 19, 1889, with inclosure.
No. 44.—Mr. Adee to Mr. Foote, September 19, 1889.
No. 45.—Mr. Adee to Mr. Wurts, No. 51, September 20, 1889, with inclosure.
No. 46.—Mr. Adee to Messrs. Wolf and Klein, September 20, 1889.
No. 47.—Mr. Wurts to Mr. Adee, No. 57, October 7, 1889, with inclosure.
No. 48.—Mr. Wurts to Mr. Adee, No. 58, October 8, 1889, with inclosure.
No. 49.—Mr. Wurts to Mr. Blaine, No. 68, November 7, 1889, with inclosure.
No. 50.—Mr. Adee to Mr. Foote, November 27, 1889.
No. 51.—Mr. Wurts to Mr. Blaine, No. 70, December 7, 1889, with inclosure.
No. 52.—Mr. Blaine to Mr. Wurts, No. 73, January 10, 1890.
No. 53.—Mr. Solomons to Mr. Blaine, July 30, 1890.
No. 54.—Mr. Solomons to Mr. Adee, July 31, 1890.
No. 55.—Mr. Wharton to Mr. Wurts, telegram, July 31, 1890.
No. 56.—Mr. Wurts to Mr. Wharton, telegram, August 1, 1890.
No. 57.—Mr. Adee to Mr. Solomons, August 4, 1890.
No. 58.—Mr. Wharton to Mr. Wurts, No. 37, August 5, 1890, with inclosure.
No. 59.—Mr. Wharton to Mr. Wurts, telegram, August 7, 1890.
No. 60.—Mr. Wharton to Mr. Wurts, No. 38, August 8, 1890.
No. 61.—Mr. Wurts to Mr. Wharton, telegram, August 9, 1890.
No. 62.—Mr. Wurts to Mr. Wharton, telegram, August 14, 1890.
No. 63.—Mr. Wurts to Mr. Wharton, No. 32, August 14. 1890, with inclosure.
No. 64.—Mr. Wharton to Mr. Wurts, No. 43, August 25, 1890.
No. 65.—From the London Globe, August 1, 1890.
No. 66.—From the Novoe Vremya, August 3, 1890.
No. 67.—From the American Hebrew, August 15, 1890.
No. 68.—From the New York Times, August 24, 1890.

No. 1.

Message from the President of the United States, in response to a resolution of the House of Representatives, transmitting a communication from the Secretary of State respecting the condition of Israelites in Russia.

To the House of Representatives:

In answer to the resolution of the House of Representatives of the 30th January last, calling for correspondence respecting the condition of Israelites in Russia, I transmit herewith a report of the Secretary of State and its accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
Washington, May 2, 1882.

DEPARTMENT OF STATE,
Washington, May 2, 1882.

The Secretary of State to whom was referred the resolution of the House of Representatives of the 30th January last, requesting the President, if not incompatible with public interests, "to communicate to this House all correspondence between the State Department and the United States minister at St. Petersburg, relative to the expulsion of American Israelites from Russia and the persecution of the Jews in the Russian Empire," has the honor to lay before the President the papers named in the subjoined list.

Respectfully submitted.

FRED'K T. FRELINGHUYSEN.

No. 1.—*Mr. Schuyler to Mr. Fish.*

No. 21.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 29, 1872. (Received October 15.)

SIR: I have the honor to inclose you a memorandum, marked A, on the legal position of the Hebrews in Russia.

I have, etc.,

EUGENE SCHUYLER,
Chargé d'Affaires ad int.

[Inclosure A in No. 21.]

MEMORANDUM ON THE LEGAL POSITION OF THE HEBREWS IN RUSSIA.

Up to the year 1835, the Hebrews in Russia and Poland were subjected to many and onerous disabilities, both civil and religious. From that time the Imperial Government has pursued the constant policy of alleviating their condition, but though much has been done, much still remains to be done before the Hebrews will be on an equality with the other subjects of the empire.

The disabilities and exceptional position of the Israelites in Russia are based, not on grounds of religious intolerance, but on the idea that the Hebrew race "has a natural tendency to *exploiter* the population in the midst of which it is settled," and that the Hebrews are, therefore, harmful to the state. The restrictions, therefore, which surround the Hebrews are rather of a civil than a religious nature, though these latter are not without their importance.

The present position of the Hebrews in Russia, so far as it is regulated or affected by the laws, is substantially this: The Hebrews are an alien race, living in Russia and owing allegiance to the Imperial Government, subject to all the burdens and endowed with few of the privileges of Russian subjects. On the assumed theory of their being hurtful to the population at large, they are under the special supervision of the Government, and are restricted in their place of abode, their occupations, acquisition of property, mode of life, dress, education, and manner of worship.

The special legislation with regard to the Hebrews may roughly be divided into two heads, as concerns their civil and their religious rights.

CIVIL RIGHTS.

Hebrews are allowed to live only in the kingdom of Poland and the governments of Wilna, Grodno, Kovno, Minsk, Tchernigof, Podolia, Volhynia, Paltava, Ekaterinoslav, Cherson, Bessarabia, Kief (except the city of Kief), Taurid (except Sevastopol), Vitebsk, and Mohilef (in the last two without the right of living in villages). In the governments of Courland, Livonia, Stavropol, and the Trans-Caucasus those Hebrews who lived there before the prohibitions of 1835, 1837, and 1841 are suffered to remain, but no others may settle there.

Hebrews are forbidden to reside in the whole of the rest of Russia, and especially in the northeastern and Caucassian ports of the Black Sea, with some few exceptions.* Siberia is absolutely and forever closed to them. Exceptions to these prohibitions with regard to residence are made in favor of education, riches, and the mechanical arts.

By the laws of 1866 and 1868, Hebrews who have received the degree of doctor of medicine or surgery, or any university degree, can live where they please, and occupy themselves with commerce, manufactures, or their professions. The same privilege has been this year extended to the graduates of the St. Petersburg Technological Institute. For the purpose of attendance at the universities and the higher educational establishments, Hebrews are allowed to leave their settled abodes and reside in the towns where these establishments exist, but children of Hebrew parents are allowed to receive a general or middle education only in those places where they are permitted a settled abode.

By becoming merchants of the first guild, *i. e.*, practically by paying a yearly tax of about a thousand rubles, Hebrews are allowed to live in any city of the empire, and take with them their families, domestics, and clerks.

A still greater exception is made by a law of 1868, which permits Hebrew artisans to join trades-unions and guilds outside of the districts fixed for their settled habita-

* There is one Hebrew, a citizen of the United States, living in the city of Kharkoff. An exception was made in his favor on the representation of the American legation that the quality of Hebrew should be considered merged into that of citizen of the United States.

tion, and Hebrew mechanicians, distillers, brewers, and, in general, all artisans to live in any part of the empire. Hebrews are also allowed to go freely into any part of the empire for the purpose of learning or perfecting themselves in a trade.

One other restriction remains to be noticed, based on the idea that the Hebrews are smugglers, which forbids them to live within fifty versts of the western frontier. An attempt to carry out this regulation some three years ago led to many complaints.

That these restrictions as to residence are not strictly enforced may be seen from the fact that there are Hebrews in every government of Russia except Orenburg and the land of the Don Cossacks. Even in Siberia there are 7,000 and in the Caucasus 16,000. (In St. Petersburg there are now about 7,000 Hebrews, who have a synagogue, and in Moscow a number almost as large.) Still, the result is to keep the main body of them in Poland and the western provinces, where they form a large proportion of the population. In Finland there are none at all. The whole number of Hebrews in the Russian Empire is 2,348,000, or 3.06 per cent. of the population. In Poland the Hebrews constitute 13 per cent. of the population, and in the government of Augustovo 16 per cent.; in the western province from 9 to 13 per cent.; in New Russia from 2 to 9 per cent.; and in Courland nearly 6 per cent.

The natural effect of this crowding together of the Hebrew population, combined with the restrictions on their acquisition of landed property, is to keep them in a comparatively low condition, and to afford them little chance for improvement. The supporters of Jewish emancipation say, with reason, that if the Hebrews are so dangerous to the welfare of the country and population, why protect certain governments from them at the expense of others? Why not diminish the evil by distributing them throughout the empire, particularly among the pure great Russian population, which is as richly endowed with the commercial spirit as are the Hebrews themselves? Why make exceptions in favor of the rich, who must on this reasoning be vastly more dangerous to the rest of the population than the poor? If the Hebrews are not dangerous then the present restriction should not be kept in force. On any theory they are wrong.

The restrictions on commerce, trade, and the acquisition of property, except so far as they result from the restrictions on residence, are gradually disappearing. Hebrew manufacturers are allowed to go to certain fairs to sell or buy goods. Merchants of the first guild are permitted to carry on an export and import trade on certain conditions, and to visit the capitals and other cities for the purchase of goods twice a year; but their stay must not be more than six months in all. Merchants of the second guild can go to other cities once a year, for not more than two months. Hebrews are also allowed to go to other places to receive inheritances, or carry on law-suits. But all such absences must be with the special permission of the police, and, in certain cases, of the government of the province, or of the Imperial Government.

In general Hebrews may acquire real estate wherever they are allowed to live, but they are not allowed to become owners of any estate where the relations between the late serfs and their masters are not entirely settled. This is to prevent their having any power over Christians. There are also some further restrictions. In the government of Vitebsk and Mohilef Hebrews can not purchase or hire real estate within three versts of any village, or any private or crown estate. In the government of Tchernigof and Poltava, since 1855, they can not obtain real estate for the purpose of settling on it, and, in general, in the western provinces persons of Hebrew origin can not become purchasers of the estates of the Polish nobles sold at forced sale by the Government.

Hebrews are forbidden to employ Christains as constant domestic servants, but may employ them on temporary occasions, as masons, carpenters, etc., or as workmen in factories, or as clerks in shops and counting-houses. Christian females who are employed to cook and wash for Christian employés, or as hands in factories, must live in separate houses from the Hebrews. This is in consequence of the supposed antipathy of the lower classes of the two races—an antipathy which will speedily disappear of itself as soon as the distinction kept up by the laws are broken down.

From 1835 on, the Russian Government was very anxious to induce the Hebrews to become agriculturists, and consequently granted many privileges to those who adopted this mode of life. These privileges consisted *inter alia* in free allotments of land for village and homestead; in aid in money for removing from one place to another, and for the first settlements; in the construction of houses for the colonists; in grain for seed, and means of temporary substance at first; in freedom from money taxes for ten years, and from recruitment for twenty-five years; and, finally, in honorary and money rewards for success in agriculture. "But all such favors and privileges," to quote the words of an official document emanating from the ministry of the interior, "did not bring about the desired results, and the establishment of Hebrew agriculturists presents only a long series of facts showing the systematic and constant misuse of these favors. In view of these facts and of the general disposition of the Hebrews for petty trade rather than settled labor, the government being confirmed in the impossibility of making profitable agriculturists of the Hebrews, repealed the law giving

money assistance to Hebrews becoming agriculturists then in force." These regulations were repealed, by an imperial order, in 1866. It is, perhaps, not entirely owing to the indisposition of the Hebrews to agriculture that these efforts of the Government were unsuccessful. It was as difficult to leave the agricultural class as it was easy to enter it. Therefore, none but the poorest Hebrews accepted the offers of colonization, and many of them died on the road to the distant colonies, and the rest reached them utterly ignorant of how to cultivate the land, and without instructors.

Besides, they were forbidden to employ Christains as laborers, and were not allowed to live near enough the villagers of other faiths to have any competition. The assistance offered by the government was insufficient to carry them over a single year of bad harvest, and these, together with an unaccustomed toil, were enough to ruin the colonies. Some few, however, succeeded in tiding over the first bad years, and those are said to be now in a flourishing state. With regard to the service of the state, no person who is a Hebrew by race or religion can become an officer of the army, the rights of Hebrews, in this respect, being far inferior to those of Mohammedans. Recruiting, on the contrary, has often been pressed with more severity against the Hebrews than against the rest of the population, and this was especially the case during the Crimean war. But as a law is now under consideration, making military service equable and compulsory on all classes of the population, it is probable that these distinctions will be done away with.

All Hebrews who have taken the degree of doctor at any Russian university are permitted to enter the government service. Otherwise it is impossible for them, without a special permission of the Emperor. Christians, on the other hand, may enter the Government service without any literary qualifications, and, with only a degree of candidate, corresponding to our bachelor of arts, they have the right to a Government place. In all the Government and rabbinical Hebrew schools, the teachers may be either Hebrews or Christians, but only the Christians have the right to pensions and rewards accruing from service. The inspectors and various other officers must be Christians. In all institutions of self-government where the members are elected, such as trade corporations, municipal bodies, city governments, etc., the non-Christians can only constitute one-third, and no Hebrew can be chosen as mayor of a city, or temporarily fulfill his duties. Thus, in a town such as Berditchef or Zhitomar, where nine-tenths of the inhabitants are Hebrews, the majority has no voice, and the town is practically governed by the very small minority of Christians.

The Hebrews in every town form a distinct community, governed by a body called the kagal, which is unofficially recognized by the Government, and made use of for the collection of taxes and recruits. In the province of Courland the kagal is officially recognized by a special law. Under the supervision of the kagal, there are rabbinical courts, whose decisions are governed by the Talmudic law, both parties being obliged to bind themselves not to refer the case to a civil tribunal. These courts, which are generally unrecognized by the Government, are, as well as the kagal, said to be sometimes made instruments of great tyranny and oppression toward the lower classes of Hebrews, the Hebrew community being so arranged that only the rich and aristocratic take part in its government.*

In these Hebrew communities there has existed for ages a special tax, called the *Korobotchuky tax*, which is now recognized and regulated by law. This tax is devoted to the wants of the Hebrew community, to the deficiencies in the payment of their taxes and performance of other duties, to the payment of the communal debts, the foundation and support of Hebrew schools, and to other benevolent purposes. The tax is raised by imposts on the butchering of meat in the Hebrew form, on the sale of meat so killed, on Sabbatical candles, and by penalties for the non-fulfillment of all the tax regulations, by an impost on the income of landed property belonging to Hebrews, on Hebrew manufactures, and on the estates of deceased Hebrews, and by the money paid for wearing the Hebrew costume. The kagal is also allowed to impose a tax on all liquors sold in taverns and dram-shops kept by Hebrews in country villages. This tax falling, of course, on the consumers, is really paid by the Christians, for the peasants are the only customers of these dram-shops. Whatever harm is therefore done to the Russian peasantry in this particular arises from the Russian law itself.

RELIGIOUS RIGHTS.

The ruling principle in the Russian legislation is that of complete tolerance to all religions, including, of course, the Jewish, Mohammedan, and heathen, the orthodox Eastern Church being the religion of the state. This tolerance does not, however, extend to proselytism, and any one converting a Russian subject from one religion to another, except the orthodox faith, even from one non-Christian religion to another, is liable to heavy punishment. The state church reserves to itself the monopoly of proselytism, but the laws strictly forbid any force, threats, or compulsion being used in such conversion. The state, however, takes an interest in conversions from Judaism,

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* See Braphmann, *Book of Kegal and Hebrew* Fraternities, *passim*.

and gives every convert from 15 to 30 rubles in money and freedom from taxes for three or five years as an assistance to them in case their means of livelihood should be cut off by their former coreligionists. The law demands that every conversion shall be voluntary, and forbids the baptism of children under fourteen years of age without the written consent of their parents or guardians. On the conversion of the parents the children under seven years are also baptized; if only one of the parents is converted, the sons under seven follow the religion of the father, the daughters that of the mother. Children over seven can not be baptized without their own consent, even at the wish of their parents. While conversions from Judaism are thus approved of, backsliding into the old faith is punished with the severest penalties.

One very unjust regulation against the Hebrews, springing from their religion, is that "in districts where the Judaizing heresy (a heresy in the Eastern Church which follows chiefly the Old Testament, keeps Saturday, etc.) prevails, all the Hebrews, without exception, must be expelled, and not one allowed to remain under any pretext." This is punishing the innocent for the guilty.

Marriage with non-Christians is forbidden to Russian subjects of the orthodox or of the Roman Catholic faith. Protestants are only forbidden to marry heathen. Persons of the Lutheran religion (for the Lutheran Church is to a certain extent established in Russia) may marry Hebrews with the consent of the local consistory, but the marriage must be according to the Lutheran rite, and the Hebrew party must give a written promise to educate the children as Christians, and not to convert the spouse to Judaism. Catholics marrying Hebrews or Lutherans marrying them, without conforming to these regulations, are subjected to imprisonment for eighty days, but the marriages seem to be valid. In case of a mixed marriage, if the children are not brought up Christians, or if an attempt is made to convert the Christian spouse to Judaism, the marriage is dissolved, and the offending party punished.

In the case of conversion to Christianity of a Hebrew husband or wife, the marriage can be dissolved at the request of either party, and the converted person can marry a Christian. But the marriage may remain in force at the wish of the parties, provided the consort will endeavor to convert his spouse, and the Hebrew spouse will agree not to influence the children to remain Hebrews or abuse the other party on account of his or her conversion.

It is plain that any antipathy of the common people toward the Hebrew can not be eradicated so long as the government itself marks them out as a peculiar people, with whom marriage is illegal.

Another mark of religious intolerance is the law which forbids everywhere the use by Hebrews of a special dress or costume, even though it is required by their religious belief. This law, after various vain endeavors to enforce it, especially in Poland two or three years ago, is so modified that in the districts where Hebrews are allowed a settled residence they may wear their distinctive costumes on payment of a fixed tax, which goes to the Hebrew benevolent institutions. Children under ten years of age and old men over sixty are exempt from this tax. There is also a tax of five rubles for wearing the Jewish cap. Women are forbidden to shave their heads under a penalty of 5 rubles for each offense. When Hebrews pass the district of their settled residence they must wear the usual costume of the country and have about them no distinctive Hebrew marks.

These regulations bear only on Hebrews. Mohammedans and heathens are allowed to shave their heads, and to wear any costume they choose in any part of the empire. In the districts set apart for their settled residence the Hebrews enjoy the same freedom of worship as other religious communities in the empire, and the military force can even be called in to protect them. Hebrews under imprisonment are freed from labor on Saturday. Hebrew school children are not obliged to attend the instructions in the Christian religion. Hebrews may make oath according to their own religious form. Saturday is given to them as a day of grace in the payment of promissory notes, etc. By permission of the authorities a synagogue may be built for every eighty Hebrew houses, and a school of prayer for every thirty houses, but these buildings must not be nearer than 700 feet to any Christian church. The synagogues, like Christian churches, are exempt from taxes and the quartering of troops. The wine and liquor used in the Hebrew religious service pay no excise duty.

The religious officers, at the head of whom is the rabbi, are chosen by Hebrew community, under the regulations and with the confirmation of the government. The rabbi has no right to punish the Hebrews belonging to his congregation with pains, curses, or excommunication, nor to refuse to any of them the rites of thier faith. Any infraction of this regulation is severely punished by a fine and the removal of the rabbi from his office, but only on a complaint of the community. The sole complaint of the person who is punished is disregarded. The religious affairs of the Hebrews are under the general superintendence of a rabbinical commission of seven members, attached to the imperial ministry of the interior.

The official language of the rabbinical commission is Russian, but some other official documents may be in Hebrew. The registers of births, deaths, etc. must be kept in both Russian and Hebrew (either the old Hebrew or the jargon). Hebrew merchants

must keep their books either in Russian, Polish, or German; or, if in Hebrew, must have a translation on the next page. This is the only restriction on the use of the Hebrew language. Wills written in Hebrew are admitted to probate, and oaths are administered to Hebrews not speaking Russian in their local dialect. In order to spread the knowledge of the Russian language among the Hebrews, it is required to be taught in all the Hebrew schools, and is now allowed to be used in the religious service.

As regards education, besides the rabbinical and private schools, and the government schools "for the education of Hebrew youths," Hebrew children of both sexes are admitted to all schools and educational institutions in the place where their parents reside without any distinction from other children. Hebrew books must be submitted to the censorship, and a special tax is laid on them for the support of Hebrew schools.

Such is, in the main, the legal position of the Hebrews in Russia. Some minor regulations have not been noticed, and there are many varying local enactments in the different provinces and towns which could be taken into consideration only with great difficulty.

It is chiefly during the reign of the present Emperor that the laws directed against the Hebrews have been mitigated. Just after the emancipation of the serfs there was a general movement of the Russian liberals for the emancipation of the Jews. Now, since the spread of slavonaphile and ultra-Russian ideas, it is not unusual to find strong liberals and democrats who are animated with the feelings of the Middle Ages toward the Hebrews, and even some of the prominent journals, such as the Golos, are constantly attacking them. On the other hand, the most truly liberal politicians and their organs, such as the Messenger of Europe and the St. Petersburg Gazette (of the Academy), are in favor of removing from the Hebrews all restrictions whatever, and thus aiding them to coalesce with the rest of the population. A strong movement is also going on among the Hebrews themselves for their elevation and enlightenment. Schools are founded, journals are established devoted to their interests, and pamphlets and books are published, not only to call the attention of Russians to the injustice they are doing to the Hebrews, but for their own profit and instruction. There are efforts at reform, too, to free the lower classes from the not infrequent tyranny of the kagal and the rabbinical councils.

There is need of all this and much more; for, in spite of the recent reforms, the condition of the Hebrews in Russia, massed together in the western provinces, without room for productive occupation or healthy competition, is growing worse and worse. Indeed, a recent Hebrew writer, Mr. Orshansky (The Hebrews in Russia, by T. G. Orshansky, St. Petersburg, 1872, page 13), says that "the general economical progress of Russian life has proved injurious to the interests of the Hebrew population;' and goes on to show that the emancipation of the peasants, the organization of credit banks, the railways, the changes made in government contracts, brandy, farming, etc., the lowering of the tariff, and cessation of smuggling, the rural and municipal self-governments, have all been prejudicial to the Hebrews. Their former clients, the proprietors, are learning to do without them as factors and managers; the peasants get loans at the banks; the improvement in the communications have ruined the country taverns; there is less liquor drunk; there are fewer uses for middlemen, and it is harder to live off of the weaknesses and follies of other people.

That the Hebrews were in such a position as to be ruined by the increase of the general prosperity is not their fault, but that of the laws which placed them in this position and forced them to such means of livelihood. There is a historical reason for it. The old Polish laws forbade the peasants to engage in trade; the nobles thought it beneath their dignity. The Hebrews, who were cut off from agriculture and other pursuits and professions, naturally monopolized the trade of the country, and fell into this position of being the factors, the go-betweens, and the agents of both the upper and the lower classes, making, of course, their profit from each. With the changes in the laws which benefit both upper and lower classes, by making them more independent, the Hebrews are cut off from the means of livelihood which the oppression of centuries had condemned them to seek, and are reduced to their present deplorable condition. To quote again the words of Mr. Orshansky, page 42: "In the life of the Hebrews of Western Russia are noticed all the symptoms of the social malady known under the name of proletarianism—a lack of settled residences, constant change of domicile and vagrancy, lamentable sanitary conditions, and, as their consequence, a great mortality, a lowering of morality, a want of means, and an insignificant amount of profits and money saved."

This shows the absolute necessity of some change. The spirit of modern Russian legislation is to fuse together the different races that inhabit the empire and to make them all Russians. It is obvious that this object can not be attained, so far as the Hebrews are concerned, while laws exist which render them a separate and distinct body, and, by casting a slur on them, cause them only to shut themselves in still more, and to resist all attempts to draw them into normal relations with the rest of the body politic.

EUGENE SCHUYLER.

No. 2.—*Mr. Jewell to Mr. Fish.*

No. 8.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 30, 1873. (Received November 18.)

SIR: I have the honor to inclose herewith a copy of a letter marked A, received from an American citizen, one Theodore Rosenstrauss; also, copy of a note marked B, by me addresssed this day to the Imperial Government. Had there been time before the expiration of his license to have communication with you and waited for instructions I should have done so. But as there was not, and as the disturbing of Mr. Rosenstrauss in his lawful business appears to me to be in flagrant violation of our treaty stipulations with Russia, I concluded to act at once. I trust my action will meet your approval.

In conversation with Mr. de Westmann yesterday, in regard to this case, he remarked that he was "tired of making these cases exceptional," by which I conclude that the law of the province in which Kharkoff is located is against Mr. Rosenstrauss in this matter. Should this be found so, and the Imperial Government declines to interfere in his behalf, and the authorities of Kharkoff decline to renew the license of Mr. Rosenstrauss, and thus compel him to leave or at least to wind up his business, I desire instructions as to my further action in this matter. I have tried to impress upon the Russian Government, both in my conversation and my note, that we demanded for American Hebrews the same treatment and protection which the native Hebrews receive. Mr. de Westmann called my attention to the replies of his Government to Mr. Clay in regard to this case. But there are many gaps in the files at this legation, and thus far I have searched in vain for the dispatches referred to.

Mr. Rosenstrauss is agent for American sewing-machines, and other goods, and is said to be a man of wealth and good character. I hear of no complaint against him other than that he is a Hebrew. It is also said that this matter is being pushed by his rival in business.

I have, etc.,

MARSHALL JEWELL.

[Inclosure 1 in No. 8.]

Mr. Rosenstrauss to Mr. Jewell.

KHARKOFF, *September* 20 (*October* 2), 1873.

Having learned from the newspapers of your arrival at St. Petersburg, I beg to lay before you my case, which, owing to the death of our former minister during last spring, remained in an anxious suspense until now, and I do hope that you will find it one of an unmerited persecution without myself having done anything in the eyes of the law and justice to provoke it.

My passport and the records of the American legation will show that I am an American citizen; and as such I have settled here in Kharkoff, in 1863, as mechanic and merchant of the second guild, opening a store of mechanical, optical, physical, and also different American goods, and having gained the confidence of the public here and the vicinity, my business is prospering as well as I can wish it.

After an ineffectual trial some years ago to disturb me in my quiet, peaceable way of attending to my own business, by *sole reason of being of Hebrew religion*, and in consequence of the timely interference of the American legation, I was let alone by order of the Russian high authorities to that effect until now.

During last December, however (1872), when I desired to pay my customary license, the license commissioners refused to issue it to me, saying that "*only Hebrews of Russian birth* could do business in the city of Kharkoff, but that foreigners of Hebrew religion are not enjoying *the same privilege.*"

I was obliged to pay for first guild license, that is to say about 600 roubles instead of the second guild, 150 roubles, which I used to pay for nine years past. Moreover, I had to sign a writing to the effect "that I should not ask for any further license in future (that is from January, 1874) unless I first obtain the permission of the imperial ministry of the finance and of the interior."

Having been protected formerly by the American legation and the Russian high authorities in peaceably carrying on my business here, the same as any other American citizen could do of whatever religion he might be, I am surprised *that the permission to renew my license should be denied me now again by the sole reason of my religion.* Being quite convinced that there is nothing that could be brought against me in social, moral, political, or commercial point of view, and therefore resting always in perfect security, I have extended my business, have entered into different contracts here and with foreign commercial houses, and here I have many outstanding

debts that can not be at present collected; at the same time a large and mostly American stock of goods on hand that could not be sold in one year. Moreover, I have induced my brother-in-law, Bernhardt Frankfurter (also of Hebrew religion), to come out with his family from America, and he made a sacrifice of almost all he had in America to come and join in my business at Kharkoff, for whom and his family I became thus responsible.

Under these serious circumstances threatening me with certain ruin in my business enterprise, I beg to lay my case before you, and asking your kind protection to bring my case to the enlightened notice and attention of the Russian Imperial Government in order that my rights of a peaceable American citizen should be protected by its subordinates, until I respect and most anxiously defer to the laws of the country in which I live, and *that my religion should not be made a crime*, obstructing all my otherwise prosperous business enterprise.

I trust you will find it convenient to interfere in my favor without much delay, as time is already drawing near when I ought to have my customary license renewed; and beg to remain, with great respect,

Your most obedient servant,

THEODORE ROSENSTRAUSS,
American citizen, of the firm "Theodore & Co.," Kharkoff.

[Inclosure 2 in No. 8.]

Mr. Jewell to Mr. de Westmann.

LEGATION OF THE UNITED STATES,
St. Petersburg, October 30, 1873.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, in presenting his compliments to his excellency the actual privy councillor de Westmann, directing the imperial ministry of foreign affairs *ad interim*, etc., etc., etc., has the honor to lay before his excellency the complaint, which when seen please return, of Theodore Rosenstrauss, a citizen of the United States, now living and doing business in the city of Kharkoff in southern Russia, a copy of which is herewith inclosed and made part of this communication.

From it and the records of this legation, it appears that for about ten years the said Rosenstrauss has been settled and doing business in Kharkoff in optical, mechanical, and other American goods; that in 1865 and 1869 he was disturbed in his peaceful enterprise by the local police threatening to close his establishment on account of his Hebrew religion.

In both cases, however, at the request of this legation, he received the timely assistance and protection of the imperial high authorities, as it became evident that his business rivals sought to drive him from the city. He has since pursued his business unmolested as tradesman and merchant of the second guild.

It further appears that when last December he made application to renew his license, he was told by the license commissioners of the place "that Russian Hebrews could do business in Kharkoff, but foreigners of Hebrew religion were not allowed the same privilege"; that he was obliged at that time to pay for a license of the first guild, about 600 roubles, instead of that of the second guild, or 150 roubles, as for the nine preceding years; that he was at the same time compelled to sign a writing laid before him to the effect that he would ask for no future license unless he obtained permission to continue his business from the imperial minister of finance and that of the interior; that without these permissions his establishment would be closed at the end of the year. The complainant having felt quite confident of protection by the Imperial Government against those persecutions, and having gained the confidence of the community by his upright mode of conducting business, has greatly extended the same, has made important business connections and obligations in Russia and abroad, has now quite a large stock of mostly American goods on hand, and has many debts due him.

It is evident from all this that the sudden closing of his establishment would be ruinous to his interests. Therefore the undersigned has the honor to invite the attention of His Imperial Majesty's Government to this case, and to submit, that as the United States of America tolerate all religious beliefs, making no distinctions whatsoever, they claim equal protection for all their citizens in their lawful enterprises without regard to their religious principles, provided always that they obey the laws of the country in which they reside; that furthermore the terms of the existing treaty of 1832, article 1, between the Imperial Government of Russia and the United States, expressly covenant and insure to the citizens of each "liberty to sojourn and to reside in all parts whatsoever of said territories in order to attend to their busi-

ness affairs; that they shall enjoy to that effect the same security and protection as the natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing."

The undersigned has entire confidence that he need only to call the attention of the high-minded Government of His Imperial Majesty to this case to insure that permanent orders be issued with all convenient speed to the proper authorities that the said American citizen, Theodore Rosenstrauss, shall in no manner be interfered with simply on account of his religion.

The undersigned respectfully further asks that notice may be given him of any action in this matter on the part of the Government of His Imperial Majesty.

The undersigned avails himself of this opportunity to tender to his excellency the assurance of his high esteem and profound consideration.

MARSHALL JEWELL.

No. 3.—*Mr. Fish to Mr. Jewell.*

No. 8.] DEPARTMENT OF STATE,
Washington, November 20, 1873.

SIR: Your dispatch No. 8, of the 30th ultimo, relative to the case of Theodore Rosenstrauss, has been received. The course which you thought proper to take in regard to the matter is approved. The withholding from him the trade license to which you refer, on account, as is understood, of his being a Hebrew of foreign birth, seems to be in direct violation of the first article of the treaty with Russia of 1832. The purpose of that article was to place all citizens of the United States in that country on the same footing as native Russians. A definitive opinion upon the subject, however, can not be formed without an examination of the notes of the Russian foreign office to Mr. Cassius M. Clay, adverted to by Mr. Westmann. You say that no such notes are on file in the legation. There are none such here, so far as can be ascertained, and there is no reference to the case in Mr. Clay's dispatches. It is consequently suggested that you apply for a copy of those notes, of which, when received, you will forward transcripts to the Department.

I am, etc.,

HAMILTON FISH.

No. 4.—*Mr. Jewell to Mr. Fish.*

No. 20.] LEGATION OF THE UNITED STATES,
St. Petersburg, December 15, 1873. (Received Jan. 5, 1874.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 8, dated November 20, in regard to the case of Rosenstrauss.

Mr. Schuyler immediately found for me the previous correspondence about Rosenstrauss, which proved to be on file, consisting of three communications from Rosenstrauss to Mr. Clay, dated respectively December 2 (14), 1865, August 27, and September 29, 1867, three notes from Mr. Clay to the foreign office, dated February 3 (15), 1866, September 9, 1867, and October 9 (21), 1867, and two notes from Mr. Westmann to Mr. Clay, dated August 28 (September 9), 1867, and January 13 (25), 1868.

There is nothing further except the marriage certificate of Rosenstrauss in 1863, and the dispatch of Mr. Schuyler, No. 27, October 31, 1872, with the letters therein referred to. I inclose to you herewith copies of these papers, marked A, B, C, D, E, F, G, H.

With regard to the case itself, it appears that the Russian law forbids Hebrews to reside in Kharkoff, but, by a law of 1863,

"It is permitted to Hebrew merchants of the first guild of the Russian Empire and the Kingdom of Poland to inscribe themselves, on the general conditions and outside of the boundaries of their present residence, as merchants of the first guild in all cities in general of the Russian Empire as well as of the Transcaucasus and obtain the right of constant residence in them according to the rules laid down in the commercial code."

Being a merchant of the first guild, Rosenstrauss has clearly the right to reside in Kharkoff under the first article of the treaty of 1832.

There seem, however, to be two exceptions which may possibly be applied to the case of Rosenstrauss. The above permission to merchants of the first guild is only applicable when they have been inscribed five years, and is not applicable to those Jews who are under accusation or the surveillance of the police, or who have been condemned by a court or placed under suspicion.

We have at all events a right to claim for Rosenstrauss exactly the same privileges that other Jews of the first guild possess, whatever else we might claim.

The Russian foreign office, as will be seen from the papers, decidedly objects to considering an American Jew simply as an American citizen, throwing his quality of Hebrew out of the question, and refuses to grant greater privileges to a foreign than to a native Jew.

The government even goes further, and says that foreign Jews "known for their social position or their great trade may receive, on a special permission to be granted by the ministers of finance, the interior, and of foreign affairs, a license to trade and a certificate of the first guild."

But I am of opinion that, under our treaty, American Jews should certainly not be subject to any greater formality or difficulty in obtaining trade licenses and certificates than native Jews.

Unless instructions are given to the contrary, I shall insist, if possible, that Rosenstrauss shall have the same right of protection and residence as native Jews, neither more or less.

I have, etc.,

MARSHALL JEWELL.

[Inclosure A in No. 20.]

Mr. Rosenstrauss to Mr. Clay.

KHARKOFF, *December* 2 (14), 1865.

YOUR EXCELLENCY: Your dispatch I received last evening, for which, with your assurance of protection, I thank you.

Now, I beg leave to inform your excellency of my present situation. Two years ago I moved with my family from Voronesh here, opened stores in optical, physical, mechanical, and different American goods. Soon I obtained the greatest confidence here and throughout the vicinity; my business to this day has gone as well as I could wish it, from which circumstances I have received many enemies among the merchants, especially A. Edelberg, optician, mechanic, etc., who was formerly the only merchant in this branch till I came, and who is exerting his utmost to cause me to quit business here.

During the last five months I have been weekly disturbed by the police, who are throwing as much difficulty as possible in my way, to force me to quit Kharkoff. The principal cause is because I can not produce a certificate of christening. I went to the governor, Count Severs, for the first time, who told me in presence of the police master, that for American citizens no such papers are required, and that I should not be disturbed any more.

On the 29th last month, I was sent for by the police master, by whom I was told that without producing the certificate of christening, I have no right to carry on business here, and that he could close my stores; consequently I went for the second time to the governor, who told me that without a certificate of christening I can not carry on business here, and especially not as it is supposed that I am Israelite; for that reason I telegraphed to your excellency, and I think that I am now troubled by this people unjustly (perhaps because I do not bribe or make them presents as A. Edelberg does).

Should I be forced by the authorities here to close business, I would be considerable loser, as I have a large stock of valuable goods on hand and many more on the road from America. I also have many outstanding debts, which can not be collected at present, and if they close my magazines, perhaps never may be able to get them.

I live here in a very retired manner, having no acquaintances, or rather I keep no company, desiring only to do business in a peaceable, quiet way, without infringing any of the laws and without being infringed upon; but without your excellency's assurance of protection, I shall always be in fear and dread of this people, for which I humbly ask you, and if you will only write me a letter to that effect, I shall live more at ease and comfort.

I remain your excellency's humble and devoted servant,

THEODORE ROSENSTRAUSS.

[Inclosure B in No. 20.]

Mr. Rosenstrauss to Mr. Clay.

KHARKOFF, *August* 27, 1867.

Undoubted your excellency received my telegram which I sent yesterday. I am sorry to say that I am again troubled by the police in the same way as I was when I wrote to your excellency on the 3d December, 1865; they are continually asking me for my certificate of mastership and my papers which I received from the *Dooma*, which are my licenses to trade, but although they find them always in proper order yet they keep continually coming and annoying me for them, and generally when there are many customers in my magazine, as if they watched those particular times to try to annoy me more.

There is a person here of the name of A. Edelberg in the same business as myself; he has been here many years, and he finds, since I commenced to trade here, his has fallen off; and, as he has considerable influence with the governor and police, *being a rich man*, he is the cause of all my difficulties.

During my absence, when I was at Poltavia fair last month, there was a custom-house officer at this city to search for contraband goods. He was brought to my magazine by the police master, but he found no goods but what had paid the duty, and left again without any disagreeable remarks; but the police master took eighty-one stereoscopic pictures. The custom-house officer requested him not to take them, saying, "Leave them, as we have other business to attend to," but he replied, "No; I will take them on my own responsibility," without inquiring the price, not making any remarks that they were going to be confiscated; nor were they sealed by him, or anything done to them more than another purchaser would be; he took them direct to Edelberg's shop, where he went without the custom-house officer, but he goes there nearly every morning on leaving the governor's office, they are on such intimate terms.

The pictures arrived here from Paris during my absence, and were placed in my magazine for sale. They passed the custom-house at St. Petersburg, and the duty was paid on them, as I can prove by my commission agent in St. Petersburg. On my return from Poltavia I presented the police master with the account for the value of the pictures. He received me in the most impolite manner and refused to pay, saying "he confiscated them because they were indecent ones," but they were only such as are sold in every city and exposed to view in all shop windows where stereoscopic pictures are sold. I went to the vice-governor (the governor not being here), but all the redress I got was, he told me they should show me Russian ways, and that in all probability they should shut up the American magazine before long.

I fear that through the interest of A. Edelberg there will be some scandal raised about me, and in the end my magazine may be closed, for he is intimately acquainted with all the great officers here and does not care what he says about me, if he can only injure my character; but I am not the least afraid of my character or anything respecting myself being found wrong; indeed, I should like some one to be sent to make inquiries who would judge impartially, and if your excellency would send some one from St. Petersburg to do so, I will willingly pay all expenses if he finds me guilty of any indecency, injustice, or falsehood; indeed, of anything that is not right and just.

I never infringe the laws, and I always pay my dues and taxes at the proper time, and during my residence here I never had anything unpleasant occur between myself and a customer, or, in fact, with any one, except with this man; and he I never spoke to but once, and then he called me, also, your excellency, anything but gentlemen, using the most vulgar language, because he had heard that your excellency was kind enough to write, or cause a letter to be sent to the governor here, on my last application for your excellency's assistance.

Excuse me troubling your exellency now about the disagreeables which occur, but thinking I may have to trouble your excellency again, I thought it nothing but right to apprize your excellency of my annoyances, not that your excellency can do anything in it at the present time, but that in the future I fear I shall have to write more.

Remaining your excellency's obedient humble servant,

THEODORE ROSENSTRAUSS.

[Inclosure C in No. 20.]

Mr. Rosenstrauss to Mr. Clay.

KHARKOFF, *September* 29, 1867.

YOUR EXCELLENCY: I beg to return your excellency my sincere thanks for the rouble your excellency has been at on my account.

According to your excellency's request I have made a translation of the paper and

sent such within; your excellency will see the charges made against me, and I will contradict them as follows:

I have taken the advice of a lawyer here, who told me that if the authorities closed my magazine it would be contrary to the Russian laws, and he thinks they will never do that, and unless the police do yet more against me, at present he can render no assistance, but that I had a right to live here.

As regards the selling of indecent pictures, which is stated in the inclosed papers, all I can say is, that it is perfectly false, and as they now lay in the police office here, they can be seen. They are pictures on which I paid a duty, and that is a sufficient proof that they are not as stated, otherwise they would not have been permitted to pass the custom-house. At the time the police master took them, I was at the Poltavia fair, and on my return, when it was told to me that the police master took the pictures, I took him the account and asked payment, which he refused in a very impolite manner. I thanked him and came away; then went to the vice-governor (the governor not being in town). I told him I had come to ask him about some pictures which were taken from my magazine by the police master. His reply was, "I know all about them, and they are indecent pictures, consequently I can do nothing in the affair; but one thing I will tell you is, that we will teach you Russian ways." I thanked him for his politeness to me, with the remark that I doubted whether they were indecent pictures, for those are things I never sell, and left immediately. It is stated in the paper that I should complain to my embassador, words which were not likely I should utter to him, if even I thought so.

This is all the respect which was shown me, so your excellency may see it is very different to that mentioned to his highness in the paper.

Now as regards the bill of "mastership," I showed it to this same vice-governor, also to the late governor, Count Severs, last year, that he must have known when he sent this paper to the chancellor in chief that he was writing an untruth.

I inclose my bill of "mastership" that your excellency may see I did not put up my signs without it, as it is stated. If it is necessary for your excellency to show it to the minister of the interior, please hold it, but if not necessary, I beg your excellency to return it, as I may yet have occasion for it here, if they still keep persecuting me, as no doubt they will, for I think this paper, being full of untruth, is only a preliminary to further proceedings, which seems to me, they are plotting something against me. I am not the least afraid of them, if they only speak the truth, but by my bill of "mastership," your excellency may see, even the highest does not do that; still, with such a protector as your excellency, I ought not to fear anything, but it is very annoying to be troubled so, when I never do the least thing possible to annoy or injure any one, and never will I infringe the laws if I know it.

Hoping your excellency will excuse me taking up so much of your valuable time, I remain your excellency's devoted humble servant,

THEODORE ROSENSTRAUSS.

[Appendix to inclosure C.]

Translation of the writing sent by the governor of Kharkoff to the minister of the interior.

No. 7312.

In the year 1865 there came here to Kharkoff, a North American subject named Theodor Rosenstrauss, and took a license as second guild merchant, and opened a magazine under the firm Theodor & Co., and settled here with his family.

The Kharkoff city police, on looking at the paragraphs Nos. 130 and 131, the eleventh volume of the Commercial Laws, where it is said in the fourth continuation, that it is not permitted for Israelites to settle here, unless assigned districts, and more so to open commerce business. By the police there was an order sent through the governor's office for him to leave the city, as it is unlawful for Israelites to settle here.

During this time there was a writing sent from the department of the minister of the interior, dated 8th February, 1866, No. 828, in which the American embassador, General Clay, wished the chancellor, Prince Gortachoff, give protection to the respectable and peaceful American subject, Theodor Rosenstrauss, consequently the police received orders from the governor, Count Severs, to give information of this writing in detail, to the American subject, and to stay all further proceedings or persecutions in the affair.

From that time to June, 1867, many individuals who keep private pensions, also the director of the third Gimnaze, requested the police master to have a watchful eye on the pictures in the American magazine, owing to the sales of indecent secret pictures which are injurious to youth, as they are sold to everybody without exception, so that they can fall into the hands of young people, which is very dangerous to their morality.

At the time the revising officer, Kelcheffsky, who was sent here by the minister of finance, he came to search the American magazine with the police master, who took pictures which were actually bad, and gave them into the administration of the police. After all this, Mr. Rosenstrauss was impudent enough to send an account for the confiscated pictures to the police master, asking payment for them, receiving comprehensible denial of payment.

As regards the returning of confiscated pictures in paragraph 152, volume 14, on the law, says, that any thing similar to them are not permitted to be sold in this empire, and after I told him that the sales of such things are destructive to youth, and that in Russia it was not permitted for the sake of morality, I received an answer that Rosenstrauss neither knows the Russian language nor the Russian laws, but asks protection as an American subject; I explained to him again that the police master knew the Russian laws, and after all Mr. Rosenstrauss left me dissatisfied, making the remark that he would complain to the American embassador.

From all this your highness will see how much respect was shown to this foreigner who as Israelite second guild merchant, without any bill of mastership, without any knowledge of physic, who has no right to live here, in Kharkoff, and still more, to open a magazine under the name optical and physical magizine, but all this was permitted through interposition of the American mission. In consequence of all this, I consider it my duty to give your highness a knowledge of it and leave it to your highness's own disposition, and request your highness's interposition with the American ambassador that he should give to the said Rosenstrauss the necessary warning.

Should, after all that is mentioned above, there be anything occur through him contrary to law, he, as foreigner, having been already given as much protection as possible, he will then have his magazine closed and he sent from Kharkoff.

[Inclosure D in No. 20.]

Mr. Clay to Prince Gortchakow.

LEGATION OF THE UNITED STATES,
St. Petersburg, February 3 (15), 1866.

The American minister has the honor to ask his excellency, Prince Gortchakow, vice chancellor and minister of foreign affairs to His Imperial Majesty, that he would be pleased to issue orders to the governor and police authorities of the province or city of Kharkoff, Russia, not to disturb nor allow to be disturbed Theodore Rosenstrauss, or his family or business, in consequence of his *religion*.

He informs this legation, by letter dated Kharkoff, December 2 (14) ultimo, that he is continually persecuted by the police and threatened by the governor that his store (magazine) will be closed, because he is not a Christian.

As the United States tolerate all religions, they claim equal protection for all their citizens; and as the American minister knows Mr. Rosenstrauss to be a worthy and peaceable citizen, he is sure his excellency, Prince Gortchakow, will not be slow to give him all due protection so long as he obeys the laws of Russia.

The American minister has the honor to subscribe himself his excellency, Prince Gortchakow's, most obedient and humble servant,

C. M. CLAY.

[Inclosure E in No. 20.]

Mr. Clay to Prince Gortchakow.

LEGATION OF THE UNITED STATES,
St. Petersburg, September 9, N. S. 1867.

The undersigned regrets again to be compelled to call the attention of the Russian Government to the complaint of Theodore Rosenstrauss, an American citizen now living and doing business in the town of Kharkoff, Russia, who telegraphs him that he is persecuted by the police because of his religion.

The American minister is sure that he need only call the attention of his excellency, Prince Gortchakow, chancellor of the Empire, etc., to this breach of American rights, to have his fellow-citizen protected in his religious principles so long as he does not interfere with the faith of others, and to have awarded him just redress against his persecutors.

So soon as the minister of the United States gets more specific details through the post he will lay them before the foreign department of Russia.

The minister of the United States has the honor to renew to Prince Gortchakow assurances of his most distinguished consideration.

C. M. CLAY.

[Inclosure F in No. 20.]

Mr. Clay to Mr. Westmann.

LEGATION OF THE UNITED STATES OF AMERICA,
St. Petersburg, October 9 (21), 1867.

The undersigned has the honor to acknowledge the receipt of his excellency M. de Westmann's note, No. 5800, of the 28th August (9th September ultimo), together with the paper of his excellency, the governor of Kharkoff, No. 7312.

The governor of Kharkoff, it seems, makes three complaints against Theodore Rosenstrauss.

1. That he is a Jew.
2. That he sells indecent prints.
3. That he keeps magazine without a permit or "mastership."

The American minister sent the governor's complaint to Mr. Rosenstrauss, and is now in possession of all the facts. In answer to these charges the undersigned remarks:

1. That he admits that Mr. Rosenstrauss is a Jew, but as all religions are alike tolerated in the United States, they claim equal protection for all their citizens without regard to religions or principles.

2. Rosenstrauss denies that the prints taken by the police are indecent. He says they are such as are seen in all the print shops in all the large cities of Russia. And besides, as he paid duties on all these prints, it is too late for the Russian authorities now to confiscate them without full payment of their value.

3. To prove to the foreign office how much the governor is imposed upon, the undersigned incloses the "mastership" of Mr. Rosenstrauss, which, when seen, he begs the adjunct minister of foreign affairs to return to this legation, date 1865.

Thus, from the governor's own showing, the authorities of Kharkoff are clearly in the wrong. The complaint of the governor that Mr. Rosenstrauss sells optical and "physical" apparatus without being a doctor, shows how prejudice here usurps the place of fact and justice. To show the foreign department the studied injustice shown this citizen of the United States, the undersigned incloses the private letter from Mr. Rosenstrauss, addressed to this legation, marked "No. A," which he makes a part of this note.

The American minister, in view of these facts, protests against the confiscation of the prints. He protests against the search of the house of an American citizen without some evidence of fraud. And he protests against the insult of calling frequently upon his countryman to show his "bill of mastership" when the authorities do know, or ought to know, from the files of their respective offices, what licenses have been legally granted. And. lastly, the American minister protests against any curtailment of the rights of Theodore Rosenstrauss because he happens to be a Jew or "Israelite."

The minister of the United States begs to assure his excellency, M. de Westmann, adjunct of the minister of foreign affairs, etc., of his distinguished consideration.

C. M. CLAY.

No. 5.—*Mr. Fish to Mr. Jewell.*

No. 19.] DEPARTMENT OF STATE,
Washington, January 12, 1874.

SIR: Your dispatch No. 20, of the 15th ultimo, relative to the case of Rosenstrauss, has been received. The determination which it announces to claim in behalf of that person all the privileges in the Russian dominions which are allowed to native Hebrews, is approved.

I am, etc.,

HAMILTON FISH.

No. 6.—*Mr. Jewell to Mr. Fish.*

No. 32.] LEGATION OF THE UNITED STATES,
St. Petersburg, January 27, 1874. (Received February 20.)

SIR: Referring to my dispatches Nos. 8 and 20, in the case of Theodore Rosenstrauss, I have the honor to inclose to you herewith the copy of a note which I have just received from the foreign office. By this document it appears that Mr. Rosenstrauss will be allowed to remain in Kharkoff and carry on his business if he provides himself with a certificate of the first guild. As such a certificate is also required from native Hebrews, it seems that Rosenstrauss has nothing more to complain of, and that the Government is not disposed to make any difference against him.

I have, etc.,

MARSHALL JEWELL.

[Inclosure in No. 32.—Translation.]

Mr. Westmann to Mr. Jewell.

No. 331.] IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF FOREIGN RELATIONS,
St. Petersburg, January 27, 1874.

Mr. MINISTER: The ministry of foreign affairs did not fail to communicate to the proper authorities the petition and telegram of Theodore Rosenstrauss, a citizen of the United States of America, which were sent as inclosures to the notes of the legation of October 30, 1873, and January 6, 1874, and in which the aforesaid person, who is of Hebrew origin, complains that the authorities of Kharkoff have required him to procure a certificate of the first guild, whereas he formerly did business with a certificate of the second guild.

The ministry of the interior has consulted the ministry of finance on this subject, and has to-day reported that Rosenstrauss, as an Israelite and the subject of a foreign power, will be required to conform to the provisions of paragraph 5 of the appendix to article 128 of the Commercial Code (Vol. XI of the Code of Laws, edition of 1863), and that he consequently can not be authorized to transact business at Kharkoff save on the express condition that he shall procure a certificate of the *first guild.*

I think it proper for me to add that if Mr. Rosenstrauss has hitherto carried on business with a certificate of the second guild, this was owing solely to the indulgence of the authorities of Kharkoff, which indulgence can no longer be granted, inasmuch as the new municipal regulations invest the municipal government of the city, which is entirely independent, with the right of issuing these certificates, but require that it be done in strict conformity with law.

In bringing the foregoing to your knowledge, Mr. Minister, I have the honor to return to you the petition and the telegram in question, and I beg you to accept the assurance of my most distinguished consideration.

WESTMANN.

No. 7.—*Mr. Fish to Mr. Jewell.*

No. 30.] DEPARTMENT OF STATE,
Washington, February 23, 1874.

SIR: Your dispatch No. 32, of the 27th ultimo, inclosing a copy of a note from the minister of foreign affairs relative to Theodore Rosenstrauss, has been received. It appears from his note that permission has been granted to Mr. Rosenstrauss to remain in Kharkoff and carry on his business if he provides himself with a certificate of the first guild.

This is apparently a satisfactory solution of his case.

I am, etc.,

HAMILTON FISH.

No. 8.—*Mr. Jewell to Mr. Fish.*

No. 68.] LEGATION OF THE UNITED STATES,
St. Petersburg, May 5, 1874. (Received May 22.)

SIR: I desire to bring to your notice a case which has recently occurred here, which may interest you as concerning the rights of persons of the Jewish religion.

On the 13th of March a young man named Simon J. Gordan, with an American passport granted by the Department of State, came to me and said that he was desirous of marrying a Madame Topaz, and wished an American passport for her. He was informed that this was impossible until he had really married her, as not until then did she become an American citizen. He explained that she had formerly been married to a Mr. Topaz, a Russian subject, and had been divorced from him, that her papers were with the police, and that there was an intention to order her to leave the country within twenty-four hours.

From the story I received, I imagined it to be a misunderstanding on the part of the police, and accordingly wrote a note to General Trepoff, the prefect of the city and head of the police, of which I inclose you a copy, marked A, and in which I requested that the lady might have time enough given to her in which to marry Mr. Gordan, when she would receive an American passport and her position would be legal, at the same time asking for information whether the divorce was legal.

In reply I received a note, a copy of which I inclose you marked B, in which I was informed that the reasons for sending her out of the country were that she belonged to the Jewish religion, and that she was not of the category of Hebrews who were allowed to reside in St. Petersburg.

General Trepoff mentioned in his note that Madame Topaz had verbally manifested the intention of becoming a Christian, and if she did so, the dispositions of the law would not be applicable to her.

It was admitted by the letter of General Trepoff that Madame Topaz was legally divorced, and a subsequent statement was made to that effect.

I then sent Mr. Schuyler to the police, and he was referred to the secretary, Mr. Resoali. Mr. Schuyler inquired of the secretary whether the regulations would still be enforced against the lady if she married and became an American citizen. He was informed that this would make no difference, and was told, at the same time, that with a matter like this sufficient time would be granted, and that there was no need for the lady to be at all annoyed or troubled; and subsequently he received a letter from the secretary, a copy of which I inclose you, marked C, containing the regulations on the subject of the sojourn of Israelites in St. Petersburg, together with a translation of the act of divorce, a copy of which I inclose to you, marked D.

Madame Topaz was therefore politely informed that as marriage would make no difference in her case, if she desired to change her religion, the sooner she did so the better. Madame Topaz said that she had no objection to become a Christian, but it was certainly very disagreeable to be forced to do so, and sent to me, by Mr. Gordan, a letter in which she formally stated her intention of becoming a Christian, and stating that she had taken the preliminary steps to do so by consulting the Lutheran pastor, Mr. Lalande.

I therefore addressed a note to General Trepoff, informing him of this fact, a copy of which I inclose to you, marked E, and the next day, the 26th March, I received from General Trepoff a reply, a copy of which I inclose to you marked F, in which he stated that he would give Madame Topaz three days in which to change her religion.

Madame Topaz complained that three days was a very short time in which to change her religion. Mr. Gordan, by my advice, presented himself at the police with a certificate from the pastor, Mr. Lalande, that religious instruction had already commenced, and with a request for anditional time.

In consequence of this, Mr. Schuyler received a note, a copy of which I inclose, marked G.

To this note no written reply was made, but Mr. Gordan, accompanied by the Lutheran pastor, called upon General Trepoff, and the pastor explained the difficulties in the way and demanded a term of two months, stating that there were various official papers to be obtained from the consistorium and ministery. General Trepoff said he would procure these papers within twenty-four hours, and finally an agreement was made that the lady should be allowed one month to change her religion, and that if she had not done so, at the end of that time she would be compelled to leave St. Petersburg. Notice of this was sent to the legation in a letter, a copy of which I send to you, marked H, the receipt of which was acknowledged.

Up to this point I had been acting only officiously and not officially in the matter, as the person in question was not yet an American citizen. General Trepoff seemed fully to understand why I engaged in the matter and interposed no objection.

Subsequently to the last letter to the police, it being found that the divorce was legal, Mr. Gordan requested that the marriage ceremony should take place at the legation, and accordingly on the 1st of April they were married in my presence by

the Rev. B. J. Hall, the pastor of the British and American Congregational Church. I inclose you a copy of the certificate of marriage, marked I.

After the marriage Mrs. Gordan received an American passport from this legation.

On the 1st of May Mr. Gordan came to me with a complaint that having sent his wife's passport to the passport bureau for foreigners in order to take out the Russian residence ticket, as required by law, he was told that it was impossible unless the former passport of Mrs. Gordan, at that time Topaz, was shown. This passport, however, was in the possession of General Trepoff.

As most of the business had been carried on between Mr. Schuyler and Mr. Resoali, at my request Mr. Schuyler wrote a purely unofficial note asking Mr. Resoali to be kind enough to sent the old passport to the bureau. This note was taken by Mr. Gordan himself in order that he might explain more at length.

Mr. Gordan immediately returned, saying that the secretary refused to move in the matter, and bringing a note, of which I inclose you a copy marked K, and in which he states that official communications only can be received, and that these must be addressed to General Trepoff. Accordingly I sent Mr. Schuyler to General Trepoff, who, on hearing what the matter was immediately said that he would give orders that the passport be sent as requested.

I understand that Mrs. Gordan has not yet completed her conversion, but this has been because General Trepoff has not furnished the official documents from the consistorium and the ministry in the time agreed upon. The pastor has stated that as soon as these documents are furnished, Mrs. Gordan will be baptized, and therefore there has been no complaint on the part of the police.

In this case Mrs. Gordan, having the engagement to become a Christian before she had married an American, there was no question for this legation to consider, but I should like to know positively the exact views of the Government as to how far American citizens of the Hebrew religion can be protected in the exercise of the rights which are granted to them by the first article of the treaty of 1832. In that article nothing was said with regard to the religion of Americans, and it is somewhat difficult to see how far the Russian Government is justified in inquiring into the religion of American citizens.

What the Russian Government will claim is that we can not ask more for American Hebrews than is given to Russians. Ought we to acknowledge this to the full extent?

I have, etc.,

MARSHALL JEWELL.

No. 9.—*Mr. Fish to Mr. Jewell.*

No. 57.] DEPARTMENT OF STATE,
Washington, June 9, 1874.

SIR: I have your dispatch No. 68, respecting the case of Mrs. Gordan, formerly Topaz, a Russian woman of the Hebrew faith, who has lately married an American citizen. It is understood that by the laws of Russia she could not, while a subject of Russia, remain in the empire without renouncing her faith and accepting Christianity. You wish to know whether by her marriage to an American such a person under the statutes of the United States and the first article of the treaty of 1832 with Russia acquires the right to be exempt from the operation of the municipal laws of Russia.

The statute of the United States regulating the status of alien women married to American citizens was approved on the 10th of February, 1855 (10 Stat. at L., 604). By this statute it is enacted "that any woman who might lawfully be naturalized under the existing laws, married or who shall be married to a citizen of the United States, shall be deemed and be taken to be a citizen."

The Attorney-General of the United States in construing this statute has held—

"That irrespective of the time or place of marriage or the residence of the parties any free white woman, not an alien enemy, married to a citizen of this country, is to be taken and deemed a citizen of the United States."

There can therefore be no doubt that such a person would, upon her marriage to an American citizen, acquire the right to be regarded by the authorities of the United States as an American citizen in every country except that to which she owed allegiance at the time of her marriage.

It is understood at the Department that the laws of Russia regard a Russian subject marrying a foreign husband as a foreigner. In such case no conflict of law could arise, because the Russian Government would concede the full American citizenship of the married woman. But should it be otherwise, her relations to that government would be affected by another opinion of the Attorney-General (given by Attorney-General Hoar), that while the United States may by law fix or declare the conditions constituting citizens of the country within its own territorial jurisdiction, and may

confer the rights of American citizens everywhere upon persons who are not rightfully subject to the authority of any foreign country or government, it ought not, by undertaking to confer the rights of citizenship upon the subject of a foreign nation, who had not come within our territory, to interfere with the just rights of such nation to the government and control of its own subjects.

It is perhaps of little practical importance whether Russia does or does not recognize the rights conferred upon such a person by the statute of 1855, since an undoubted American citizen would be bound when in Russia to obey the municipal laws of the empire.

The treaty of 1832, to which you refer, is a commercial treaty. The right of residence in Russia granted to American citizens is granted "in order to attend to their affairs;" but it is also given "on condition of their submitting to the laws and ordinances there prevailing."

How can it be contended that a law or ordinance respecting religious faith is not a law or ordinance within the contemplation of the treaty? It may be a proper subject for regret that the Russian Government should feel itself constrained to adhere to a policy which the statesmen of the United States regard as a relic of illiberality. But in the presence of history it can not be contended that the right to enact and enforce laws respecting the religious faith and observances of persons who receive the protection of a state has been insisted upon and exercised by almost every nation of modern Christendom. We need not travel beyond the time of recognized writers on international law to find the Edict of Nantes and its revocation; the statutes against non-confirmists; the laws under which the Quakers were persecuted in New England; the laws for the administration of the inquisition; the statutes which sent prisoners to the dungeons of Naples; the laws for the prevention of the circulation of the Bible in the Papal States.

We may deplore the ignorance of the true principles of government which leads to the enactment of such laws; we may venture to express hope (when occasion calls) that they will not be enforced against peaceful Americans; but in the present case no facts are found which would justify us in assuming that the treaty of 1832 would be infringed by an attempt to enforce against Mrs. Gordan the local municipal law of Russia respecting persons of the Hebrew faith residing within the limits of the empire.

Beyond this specific expression of opinion, it does not appear to be necessary or proper to go on the facts reported by you.

Yours, etc.,

HAMILTON FISH.

No. 10.—*Mr. Schuyler to Mr. Fish.*

No. 92.] LEGATION OF THE UNITED STATES,
St. Petersburg, March 15, 1875. (Received April 7.)

SIR: Referring to the memorandum on the legal position of the Hebrews in Russia, inclosed in my dispatch, No. 21, of September 29, 1872, I have the honor to inform you that a commission is now sitting at the ministry of the interior for the consideration of some scheme for improving the condition of the Hebrews.

Prominent among the questions submitted is that of granting permission to the Hebrews to reside freely in all parts of the empire. I inclose to you, marked 1, an abstract of a report made to the commission on this question, by the member specially charged with its study—Mr. Grigorieff, a well-known orientalist, a professor in the university, and at present director of the press. This report is exceedingly interesting as showing the views of enlightened and conscientious government officials on this subject.

It is to be hoped that the commission will devise some method for relieving the ignorance and distress which certainly exist among the Hebrews of the western provinces.

I have, etc.,

EUGENE SCHUYLER.

[Inclosure in No. 92.—Translation.]

Abstract of a report of Mr. V. Grigorieff, member of a commission for the improvement of the life of the Hebrews, on the question of their place of residence.

The question of permitting the Hebrews to reside in all parts of the empire should be considered rather with a view to what would be the effects upon the interests of the immense majority of the Russian and other populations of the empire, than with regard to the interests of the Hebrews themselves. If, therefore, the distribution of

the Hebrews throughout the empire threatens no evil consequences to the rest of the population in economical, moral, or political respects, and can, at the same time, better the condition of the Hebrews, there will be of course, no reason for longer restricting them to the provinces where they at present reside. If it seems, however, that the contrary will be the case, the present restrictions on the Hebrews must be kept up, at least for the present. For that reason it is necessary to decide this question before any others.

The demand for an extension of the rights of residence does not come so much from the Hebrews themselves as from the local representatives of the government in the provinces where the Hebrew population is massed together, and their representations are less inspired by the thought of improving the condition of the Hebrews than by the desire to alleviate the sad condition of the native population. According to them the large number of Hebrews in proportion to the Christians has this result: that the Hebrews, not finding sufficient means for supporting themselves by honest labor, are compelled, so to speak, to earn their bread by exploiting the Christian population, or by having recourse to all kinds of underhanded practices. The inference which they draw is tnat if the Hebrew population in western Russia is thinned out it will be easier, both for the natives and the Hebrews, to support themselves by honest work. This conclusion, however, is illogical and impracticable. A great population is only burdensome to a country when the productive forces of that country are insufficent to nourish it; but it is impossible to say, with regard to the western provinces, that their soil, although bad in parts, is unable to feed the present population, or even one very much larger. According to the last census, the number of inhabitants to a square verst in these nine provinces was from 11 to 47, being on an average 24 7-9; but to make no comparison with much more thickly-settled foreign countries, the population in the provinces of Podolia and Kief, 47 and 40 to a square verst, is no greater than that in Kursk and Tula, while the rest are inferior in population to very many provinces of the empire, which are by no means so good in soil. It will be seen, therefore, that the western provinces can not complain of density of population. The number of inhabitants in these provinces, according to the last census, was 10,620,624, and the number of Hebrews 1,139,633. The Hebrew population was, therefore, in proportion to the Christian population, as 1 to $8\frac{1}{3}$, though on account of the means which the Hebrews employed to avoid registration we may consider them even as 1 to 6. We find the same average relations between the Mohammedan and the Christian population in the provinces of Simbirsk, Samara, and Kazen, to say nothing of Orenburg, where Mohammedans and Christians are in equal numbers, yet no one has complained of the great numbers of Mohammedans in these three provinces, no one considers it an evil, no one accuses the Mussulman of exploiting the Christian population, and it has never entered the head of anybody for the good of the latter to insist that the Mohammedan population should be lessened by distributing it among other provinces. It is evident therefore, that the evils arising from the numbers of the Hebrew population in the western provinces do not come from their great ratio to the Christian population, but from something else. On investigation it is impossible not to see that the cause why they and not other races are hurtful springs from the fact that the Hebrews do not wish to exist by the same means as the rest of the population.

Russia, including also the western provinces, is an agricultural country, and the great majority of its inhabitants must get their living by cultivating the ground. We should consequently expect that the most of the Hebrews who live in Russia would occupy themselves with agriculture. Were this the case the Hebrews would be no burden on the rest of the population, however numerous they might be. In spite of this the Hebrews, not only in the western provinces, but wherever they are, never become agriculturists. It is well known that the many and various attempts of the government to make them farmers have always failed, not because the measures themselves were badly taken, but because the Hebrews absolutely refused to carry them out. The Hebrew says that he is weak in body and unfit to be an agriculturist, but can be profitable to the country in other ways, as, for instance, as an artisan. It is, however, false that the Hebrew is any weaker than a peasant of White Russia, worn out by years of cold and oppression; but when such a peasant can not feed himself and his family at home, he goes for hundreds and thousands of versts for agricultural labor and works satisfactorily. Did it ever come into the head of any Hebrew to support himself in this way? Did any Hebrew community ever ask to be allowed to emigrate into Great Russia for this reason? As to being an artisan, that is only an excuse for avoiding heavy labor. Are there any Hebrew artisans who are stone-cutters, or carpenters, or smiths, or, in general, laborers working under the open sky, with considerable loss of muscular strength? Even as artisans the Hebrews prefer to be tailors, hatters, shoemakers, turners, watch-makers, and jewelers. In these branches of trade there are certainly very many skillful and industrious workmen among the Hebrews, but it would be strange if a whole million of inhabitants should desire exclusively to work at these trades, and then complain, as the Hebrews do, that there are not buyers enough for their productions, and that therefore they

are hungry and cold. Are such complaints well founded or worthy of attention? The Hebrews have great musical capacities, and many of them are living by being wandering musicians, but it would be absurd if the majority of Hebrews should ask to earn their living only by this means, and yet their desire to limit themselves to certain trades is very similar to a demand of this kind. There are numerous poor populations throughout western Europe, but where they wish to exist by honest labor they invent new trades and industries, which, although not very great, still bring them in bread, such as the manufacture of tin-ware in the Carpathians, wood-carving in the Tyrol, and the manufacture of wooden clocks in Switzerland; but the poor Hebrews have invented nothing of this kind.

The Hebrews might with profit to themselves and to the western provinces occupy themselves with manufactures. The concentration of capital in the hands of some of them gives them every possibility of carrying on the working up of local raw materials. Western Europe is supplied with hemp which comes from the western provinces or through them. Why could they not introduce rope-works? The same question might be asked with regard to linen manufacture, which supports tens of thousands of looms abroad. The country is rich in forests, yet no one has ever opened a cabinet manufactory, such as exists in Riga, or a manufactory of cheap furniture, which is so dear in Russia, and would have such an excellent sale. Instead of manufactures of this kind the Hebrews have occupied themselves in White Russia only with the distillation of spirits, and that not so much for the business itself as for the possibility of obtaining illegal gains through it.

The only industry by which the Hebrews wish to live, and by which the greater part of them do live, and for which they are abundantly qualified, is that of being factors and middlemen. As such they have acquired an amount of influence which renders both buying and selling impossible without their aid. It appears in this way that the Hebrews wish to exist, and do exist, in great part only by absorbing the fruits of others' labor and by producing almost nothing themselves, in consequence of which they are a burden to the provinces where they settle greater in proportion to their numbers. The economical injury which they cause to the local population is incalculable. The existence of middlemen is frequently an evil, but how much more so when these middlemen constitute a caste having nothing in common with the rest of the population either by origin, religion or language, a caste which desires to know nothing in the world except their fellow-believers and their benefit, considering Christians as their born enemies, a caste petrified in their isolation, often following fanatical leaders, and regarding the laws of the country in which they live as only externally bindng on them, avoiding compliance with them by all possible means, and always in every matter acting together.

The economical evil, however, which the Hebrews work to the natives is only one of the ways in which they injure them. They not only ruin but they corrupt the native population. In order to exist in these conditions, outside of which the Hebrews do not wish to exist, they must necessarily have recourse to unlawful and criminal acts, more especially because, first, they do not consider the laws of the state binding on their consciences; and, secondly, because their close union and the way in which all stand up for one gives them the possibility of escaping punishment. Then the Hebrew population living on the frontier almost always occupies itself with smuggling, thus diminishing the government revenues. Hebrews here are often also sellers of stolen goods. Into criminal acts of this kind they also entice the native population, which would not be so easily led astray were it not so thoroughly dependent upon them. They see also the ease with which the Hebrews escape punishment.

With such an influence of the Hebrews in the western provinces it is not surprising that the authorities and the local population groan under the burden and recommend to the government any measure which may relieve them. But as we have seen that the evils do not come from the absolute numbers of the Hebrews, but from their disinclination to work, the problem is, not how to diminish the Hebrew population, but how to change their condition of life so as to turn them from parasites into producers. If the Hebrews do not wish this, and desire to remain as they are, their distribution throughout Russia would only introduce into it the same evils which now weigh upon the western provinces. An example of this may be seen in the south of Russia. No further back than the end of the last century the region of New Russia was a waste where wild horses still pastured. It has quickly become settled and prosperous owing to the labor which has been given to working its virgin soil. A share in this rich soil was also allotted by the government to the Hebrews, but even there they found it impossible to work it. From the farm-houses which had been constructed for them they carried off the doors, the window-frames, everything that was movable, even to the agricultural tools with which they were provided, and ran away. The commercial city of Odessa attracted to it the Hebrew population, and they there began to get a living by day-work in the grain warehouses and by their usual trades. With these means of subsistence they would not only have been harmless but even profitable, notwithstanding their great numbers (in 1858 in the 104,500 population of Odessa there were 14,100, that is nearly one-seventh), but little by little they began

to get into their hands great amounts of capital, began to become middlemen, and are at present the real commercial masters of the region, having full possession of all the grain trade so that neither producers nor purchasers can carry on their business without them, and are forced to buy and sell at the prices they fix. The country suffers from this. The riot some three years ago against the Hebrews in Odessa was not so much the effect of religious fanaticism as it was a protest against their rule.

Hebrew distillers and Hebrew artisans are allowed in all parts of the empire, but nowhere have they by any means distinguished themselves in their trades. Distilling serves only as a pretext for cheating the excise; and, under the guise of artisans, vagabonds of all kinds come, who by their presence immediately increase the percentage of crime in the districts where they settle. Wherever there are two or three Hebrew families there immediately begins a trade in all sorts of old rubbish, which quickly passes into a traffic of stolen goods, coin immediately disappears, and not uncommonly counterfeit money begins to circulate. The Hebrews, for themselves or through their wives, obtain confidence by proposing their services to unwary people, giving small sums on loan, taking all kinds of things in pledge, and in a short time both masters and servants get entangled in their nets to such a degree that they can not extricate themselves. If such is the evil brought by the Hebrews into Great Russia, where they are found in relatively insignificant numbers, what will it be if we open the doors wider to them.

The supporters of the idea of promoting the Hebrews' entrance into Great Russia say that there they will not be dangerous, because the Great Russian peasant has a much stronger and more independent character than the White Russian. This, however, makes little difference. Even the Greeks, who were noted for their commercial talent, have been pushed out of business at Odessa by the Hebrews. The only place where the settlement of the Hebrews would not be dangerous is among the Russian sectarians, who have a similar organization to the Hebrews; but the sectarians constitute such an insignificant percentage of the population that they could not be taken into account in considering the question. It must not be left out of view that the better part of the Hebrew population is already allowed admission to the rest of the empire. However burdensome the Hebrews may be to the western provinces, it is much better that one part rather than the whole of the body-public should suffer, especially as the strength of the Hebrews is great and increases daily and hourly. In the society known as *L'Alliance Israélite*, the Hebrew race has its own government, which exercises pressure on any government that is not strong enough to stand against it. Many ask why it is harmless for the rest of the population that Hebrews have civil and political rights in England, France, and Germany. This harmlessness is easily explained; on one hand, by the great civilization and intellectual development of those countries, by which the Christian population better understands its interests and can better protect them, and on the other hand, by the relative smallness of the Hebrew element. In Great Britain there are not more than 40,000, and in France 100,000. But even in those parts of Western Europe where the Hebrew inhabitants constitute a considerable percentage of the population, they are a burden to the country, call out general complaint, and threaten a state of things similar to that which exists in our western provinces. In Vienna, for example, the Hebrews have got into their hands all the banking-houses, all the newspaper press, and the best part of the real estate of the city.

In view of all that has been stated, the unconditional permission to the Hebrews to immigrate into Great Russia would be an experiment dangerous in the highest degree, and not offering the slightest profit, or bettering the present condition of things. In a word, while the Hebrews remain what they are, it is impossible for the Government to act toward them as toward the other nationalities of the Empire, or give them the same rights that others enjoy. That can only be allowed when all possible measures have been tried for first making them productive and profitable citizens in the places of their present residence, and when these measures have met with full success. There is no reason to despair of finding and applying such measures. The Hebrews were not always such as we see them now in the western provinces, and are not such everywhere now. The great cause of their present position is chiefly owing to their selfish, ignorant, and fanatical leaders. Freed from their oppression, the mass may become re-educated and renewed. To show how this end may be accomplished is the problem of our commission.

No. 11.—*Mr. Evarts to Mr. Hoffman.*

No. 52.] DEPARTMENT OF STATE,
Washington, May 6, 1879.

SIR: I inclose herewith a copy of a letter from the Hon. George H. Pendleton, Senator from Ohio, and a copy of the memorial of Leo Wise, regarding certain naturalized citizens of the Jewish persuasion in Russia, to which it refers, and a copy of

the letter of H. Rosenstrauss, alluded to in the memorial; and have to inquire if the alleged preference of British Jews in Russia, which is set forth in the letter of Mr. Rosenstrauss, is a fact, and if so, under what circumstances and by what legal instrument were exceptional privileges in the regard stated conferred by Russia on Jews from Great Britain.

I have, etc.,

WM. M. EVARTS.

[Inclosure 1 in No. 52.]

Mr. Pendleton to Mr. Evarts.

UNITED STATES SENATE CHAMBER,
Washington, April 23, 1879. (Received April 23.)

SIR: Referring to our conversation last Saturday, I have the honor to send you the memorial of Leo Wise, on the subject of the condition of naturalized citizens of the Jewish race in the Empire of Russia, and to request that the reply be sent under cover to me.

Very respectfully,

GEO. H. PENDLETON.

[Appendix No. 1 to inclosure.]

Mr. Rosenstrauss to the Editor of the Israelite, Cincinnati, Ohio.

CHARKOW, RUSSIA, *March* 11 (23), 1879.

SIR: You will no doubt be surprised to be intruded upon by individuals living across the ocean, and especially in a country where in fact no Jew ought to live, but lot destining us to be strewn all over the earth, it seems that Russia in that regard makes no exception.

Knowing your paper well and always being an admirer of your untiring efforts in teaching humanity to mankind in general I thought of laying a very simple case before you in the hope that in time it may reach its right destination. I am a citizen of the United States of America, have been living there for over twenty-eight years; the last of ten years I was engaged in the mercantile business in the city of Rochester, N. Y., where my name is known to almost every business man.

About three years ago a brother of mine living in the Empire of Russia wrote for me to come there, and business at that time being rather dull in the United States, I left with my family to seek my luck here. Everything so far went well, with only that exception, that I missed my free country, America, where Jews and Gentiles are treated alike.

With great difficulty and by paying double taxes I was allowed to carry on my business here in Charkow as an optician, and at the same time I represent the Singer Sewing Machine Manufacturing Company. Now the building wherein my business is located is about to be sold, and in order to prevent my moving, which is quite a tedious task here, I concluded to buy the property, but heard since, which to my surprise I was not aware of, that Jews were not allowed to hold real estate in this part of Russia, except Jewish British subjects. I, thinking that such was a mere impossibility, wrote to our consulate at St. Petersburg, inquiring if such was the case and if such had also effect on American Jewish subjects. A few days ago I received an answer from our honorable consul-general, Mr. Edwards, temporarily acting for Mr. Stoughton, that the treaty between Russia and America had no proviso made for American Jews and thought that I must be treated alike with the native Jews.

Now, I am certainly the last man who would———any preference over my fellow religionists, but the answer from our worthy consul is anything but satisfactory to me, especially when I know that America in their Constitution makes no difference in creeds.

Now, when a treaty with any country is made I have no doubt but America has no bad intention at heart, and when it says in the treaty that their citizens fare alike with those of the country the treaty is made with, it is my sincere belief that America means all citizens of whatever religion they are; such has, as I understand, not been stated in our treaty between us and Russia, and Russia, looking at a Jew as a secondary being, will certainly, if such a proviso is not made, put him under the same category as the native Jew.

Now, in the name of humanity, I beg of you to see if a decent, intelligent man could not be placed on the same footing as a common Russian laborer, especially such as we have here in Russia, not like in America, where a laborer sometimes is as well educated as the best of business men. Here laborers and farmers are, with only very few exceptions, most all without education, and still their rights are equal to any other subject of Russia, but we Jews, for the very simple reason because it pleased our Lord to make us such, no matter how intelligent we are or how honest and upright our actions may be, are without rights whatever.

In the sincere hope that you may give this letter your worthy attention, I wish you, dear sir, that your services in bringing it before the right authorities may be crowned with only what humanity demands.

Yours, etc.,

H. ROSENSTRAUSS.

[Appendix No. 2 to inclosure.]

Mr. Wise to Mr. Evarts.

CINCINNATI, OHIO, *April* 21, 1879.

SIR: According to your instructions I place before you the communication of H. Rosenstraus, of Charkow, Russia. Rosenstraus claims to be an American citizen unjustly deprived of the rights guarantied to all American citizens by Russia by the various treaties with the United States.

The status of Rosenstraus may be summarized as follows, viz:

1. Rosenstraus, the complainant, is a naturalized citizen of the United States, having been duly qualified, taken the necessary oath, and received his naturalization papers and having resided and carried on business in Rochester, N. Y., for a period of twenty-eight years.

2. About three years ago he, with his family, removed to Russia, to do business there, without however doing any act at the time or since by which he may be adjudged to have declared his intention of ceasing to be a citizen of the United States or of becoming a subject of the Russian Empire.

3. In addition to his trade, that of an optician, he is the agent for the Singer Sewing Machine Company, and is therefore entitled to the protection guarantied by Article I of the "treaty of navigation and commerce" passed December 6 (18), 1832.

His complaint may be analyzed as follows, viz:

1. On account of his Israelitish faith an unreasonable and exceptional tax was extorted from him for the privilege of carrying on his business, and other serious obstacles were placed in his way for the same cause.

2. He was debarred from the right of holding real estate necessary to the successful carrying out of his business.

3. That in reply to a complaint directed to the United States consulate at St. Petersburg, he received a reply to the effect that no Jews excepting such who are subjects of Great Britain can hold real estate in Russia, and further, that in the treaties between the Governments of the United States and Russia no provision had been made for the protection of American Jews, and they consequently stood in the same position and liable to the same disabilities as Russian subjects of the same faith.

I would therefore respectfully request that the proper officers of our Government be instructed to institute inquiries as to the facts upon which this complaint is based, and if upon examination it be found that they are truly stated; and that the complainant has been deprived of just rights or is injured in his property or both, that proper steps be taken to secure his future protection, and that he may be properly indemnified for damages caused by such illegal deprivation or injury.

Furthermore, in view of the fact that similar complaints are received from time to time from various countries which have entered into treaties of peace and amity and navigation and commerce with the United States, I would, for the guidance of Israelites who may wish to travel or carry on business abroad, request replies to the following interrogations, viz:

1. What are the general rights of citizens of the United States in Russia?

2. Are American Israelites by reason of their faith debarred from the enjoyment of the privileges guarantied by treaty to all American citizens? If so, why?

3. In making treaties with the government of a country where native Israelites are subject to disabilities and are not admitted to the full rights of citizenship, is it necessary that in order to secure to American Israelites the enjoyment of the privileges granted by those treaties to citizens of the United States generally, a clause be inserted in the treaties wherein the right of Israelites to be enumerated among those to be benefited by the treaties is specifically set forth?

I trust that the importance of these inquiries to a large number of our citizens will commend them to your favorable notice, and that action in the case of Rosenstrauss be speedily taken.

I remain, etc.,

LEO WISE.

No. 12.—*Mr. Hoffman to Mr. Evarts.*

No. 109.] LEGATION OF THE UNITED STATES,
St. Petersburg, May 29, 1879. (Received June 14.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 52, calling my attention to the case of Mr. H. Rosenstrauss, a naturalized citizen of the United States, of the Jewish persuasion, and inquiring whether any preference is extended to British Jews over those of other nationalities in the matter of holding real estate in Russia; and, if so, under what circumstances, and by what legal instrument such exceptional privileges are conferred.

And, first, I am requested by Mr. Edwards to state that he did not inform Mr. Rosenstrauss that British Jews are allowed to hold real estate in Russia, as alleged by Mr. Wise in his letter to the Department. As consul, Mr. Edwards declined to give any opinion upon the subject, but while temporarily representing the minister of the United States he thought it right to answer Mr. Rosenstrauss to the effect that, in his opinion, "the treaty in force between the United States and Russia, conceded to him no rights in addition to those enjoyed by Russian subjects of like faith." I have the honor to inclose a copy of Mr. Edwards's letter.

In July last, at the request of Mr. Rosenstrauss's brother and partner, Mr. Stoughton inquired of Mr. de Giers if alien Jews are allowed to hold real estate in Russia. Mr. de Giers was unable to answer, but promised to inquire in the proper quarter and inform Mr. Stoughton. No reply has yet been received. Since my return I have reminded Mr. de Giers of Mr. Stoughton's inquiry, but I should not be surprised if I received no answer. The foreign office in several countries of Western Europe refuses to answer questions of law. It points you to the published statutes of the country, and if these are of difficult interpretation to the foreigner he must have recourse to his own counsel. Most of the embassies and legations here have counsel attached to them. As this legation does not enjoy this advantage, I am compelled to give you the result of my own examination of such books as are accessible to me, and of my inquiries in well-informed quarters.

The laws of Russia bristle with so may exceptions that the exceptions frequently appear to be the rule.

The strong personal element which pervades the administration of the government frequently enables many individuals of a class to do what is forbidden to the class. Then the ancient laws of the states which have from time to time been annexed to the Russian crown, and the dangers apprehended from local political disturbances, or, on the other hand, the loyal and "well intentioned" character of the community, and even the social status of the individual, have a most marked effect in modifying the application of the law.

In the old Polish provinces Roman Catholics, native as well as foreign, are not allowed to hold land. In the Grand Duchy of Finland no alien is allowed to purchase real estate, not even a Russian, unless of noble birth, and in the Baltic provinces all persons, foreign or native, who are not of the noble or "citizen" class are subject to many annoying restrictions in the purchase and tenure of land. While in Russian Poland, the code enacts that a foreigner shall enjoy in Poland only those civil rights which are accorded to a Pole in the foreigner's country.

This system of exceptions is applied to the Jews. Under article 1516, vol. ix of the code, foreign Jews are not allowed to settle in Russia or become Russian citizens. But as under several treaties, and especially under that with Great Britain, their right so to settle is clear, they are in point of fact permitted to reside here. They do so, however, under restrictions, one of which is that they must receive the permission of the three ministers—of finance, of the interior, and of foreign affairs—and another that they must belong to the first commercial guild, and, of course, pay accordingly. (Article 1523, vol. ix of code.)

So as regards real estate, native Jews are not permitted by law to hold land in Russia, yet it is notorious that many do hold it. When they reside far from the Polish frontier, when they live in a peaceful and loyal part of the empire, when their social position and wealth are a guaranty that they will earnestly support the government, the authorities close their eyes and do not see the most transparent subterfuges.

Foreign Jews stand upon a better and more legalized footing. Under article 1523 it is permitted to "alien Jews distinguished by their position in society, or their extensive business transactions, to establish banking houses and manufactories, and to *hold real property;*" and in this respect all alien Jews, American and British, stand upon precisely the same footing.

This position of British Jews has, as far as I can learn, given rise to no reclamation on the part of Great Britain. They are allowed under the treaty to settle in Russia, and they are granted privileges not accorded by law to native Jews. * * *

In Mr. Rosenstraus's case the reasons why the authorities in Kharkoff do not find in him the qualities necessary to bring him within article 1523 of the code are easily guessed.

Since 1865 his brother and partner has been in a chronic state of difficulty with these authorities. In that year he wrote to Mr. Clay that he would not be permitted to continue his business unless he produced his certificate of christening. Mr. Clay intervened, and in due time was answered by the foreign office that, as an American, Mr. Rosenstrauss had enjoyed "exceptional tolerance," but that he had abused the protection extended to him by the legation. Again, in 1873, Mr. Rosenstrauss complained; the principal cause of complaint on this occasion being that he was compelled to belong to the first guild, and pay 600 roubles, instead of to the second guild, and pay 150 roubles. Mr. Jewell intervened, expressly disclaiming, however, a demand for any privileges not extended to native Jews, and in due time was answered that the laws as regards the different guilds had been amended (paragraph 5 of the annex of article 128 of the Code of Commerce), and that Mr. Rosenstrauss was clearly included in the first guild. Mr. Westmann added that this was a matter within the exclusive competency of the municipal authorities, and that the central government never interfered with them.

I have the honor to call your attention to the fact that Mr. Rosenstrauss is a naturalized citizen of the United States; that he has now been absent from the country for over three years; that he manifests no intention of returning, but on the contrary speaks as if he was permanently settled at Kharkoff, and is desirous of buying real estate there; that apparently he pays no taxes, performs no militia or jury duty; in short, makes no return whatever for the protection he claims from the United States.

I have, etc.,

WICKHAM HOFFMAN.

[Inclosure 1 in No. 109.]

Mr. Edwards to Mr. Rosenstrauss.

UNITED STATES CONSULATE-GENERAL,
St. Petersburg, Russia, March 8, 1879.

SIR: With reference to your communication of a recent date relative to your right to purchase and hold real estate in the city of Kharkoff, I have the honor to inform you that the treaty in force between Russia and the United States concedes to you no rights in addition to those enjoyed by Russian subjects of like faith.

It is difficult to perceive upon what ground an American citizen can claim in Russian territory rights not conceded to Russian subjects.

Your position would, therefore, seem to be, so far as I am at present advised, the same as Russian subjects of like faith in Kharkoff. If, therefore, the laws now in force in Kharkoff prohibit those of Jewish faith from purchasing property in Kharkoff, then you are prohibited.

You should therefore seek the advice of local lawyers and be governed in your action by the laws now in force in the province where the property is situated.

W. H. EDWARDS.

No. 13.—*Mr. Hoffman to Mr. Evarts.*

No. 113.] LEGATION OF THE UNITED STATES,
St. Petersburg, June 13, 1879. (Received June 30.)

SIR: Referring to my No. 109, in answer to your No. 52, you will recollect that I had the honor to say to you that Mr. Stoughton had inquired if alien Jews were allowed to hold real estate in Russia, and that I had renewed the inquiry; I am now in receipt of a reply from Mr. de Giers, a translation of which I beg to inclose. You will observe that his reply confirms what I had the honor to write you in my No. 109, viz, that all foreign Jews can purchase real estate in Russia under certain restrictions, and if they fulfill certain conditions of social position and wealth.

Mr. de Giers adds, however, that in the governments of Kieff and Wilna, foreign Jews are not allowed to hold real estate.

I have, etc.,

WICKHAM HOFFMAN.

[Inclosure No. 1 with No. 113.—Translation.]

IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF INTERIOR RELATIONS,
St. Petersburg, May 31 (*June* 12), 1879.

SIR: In reply to the note of the legation of the United States, dated 12th (24) April last, regarding the right of Israelites to purchase real estate at Kharkoff, I have the honor to inform you that foreign Israelites who have fulfilled the formalities required by paragraph 5 of the first note of article 128 of volume XI (of which I take the liberty to inclose a translation), have the right to purchase real estate in all the cities of Russia except those "governments" which at the time of the promulgation of the ukase of the "Senate Directory" of August 5, 1864, were comprised in the administrative circle of the governors-general of Kieff and Wilna.

Receive, sir, etc.,

GIERS.

[Translation.]

Extract from the fifth paragraph of the first note of article 128 *of volume* 11 *of the Regulations on Passports, in continuation of those of* 1863.

Those Israelites, foreign subjects, who came to Russia, and who are distinguished by their social position and their important commercial operations, have the right, on receiving a special permission in each case, from the ministries of the finances, of the interior, and of foreign affairs, to carry on their business and to establish banking-houses, if provided with certain certificates of commerce of the first guild.

The same Israelites have also the right to establish manufactories, and to acquire and hold real estate without tenants ("*non peuplés*") on complying strictly with the rules set forth in the civil code.

No. 14.—*Mr. Evarts to Mr. Foster.*

No. 2.] DEPARTMENT OF STATE,
Washington, April 14, 1880.

SIR: I have received a letter from Messrs. S. Wolf and A. S. Solomons, of this city, representing the "Union of American-Hebrew Congregations," in which they refer to newspaper statements indicating that the Jews in Russia have recently been subjected by the Government there to extraordinary hardships, and expressing a desire that the minister of the United States to St. Petersburg may be instructed "to make such representations to the Czar's Government, in the interest of religious freedom and suffering humanity, as will best accord with the most emphasized liberal sentiments of the American people." The writers of the letter observe at the same time that they are well "aware of the impropriety of one nation interfering with the internal affairs of another in matters of a purely local character."

You are sufficiently well informed of the liberal sentiments of this Government to perceive that whenever any pertinent occasion may arise, its attitude must always be in complete harmony with the principle of extending all rights and privileges, without distinction on account of creed, and can not fail, therefore, to conduct any affair of business or negotiation with the government to which you are accredited, which may involve any expression of the views of this Government on the subject, in a manner which will subserve the interests of religious freedom. It would, of course, be inadmissible for the Government of the United States to approach the Government of Russia in criticism of its laws and regulations, except so far as such laws and regulations may injuriously affect citizens of this country, in violation of natural rights, treaty obligations, or the provisions of international law, but it is desired that the attitude of the minister, as regards questions of diplomatic controversy, which involve an expression of view on this subject, may be wholly consistent with the theory on which this Government was founded.

I am, sir, etc.,

WM. M. EVARTS

No. 15.—*Mr. Hoffman to Mr. Evarts.*

No. 205.] LEGATION OF THE UNITED STATES,
St. Petersburg, May 7, 1880. (Received May 24.)

SIR: I have the honor to report to you the case of Henry Pinkos, an Israelite and citizen of the United States.

About a fortnight ago this man was brought to me by Mr. Edwards, who informed me that Pinkos had been ordered to leave St. Petersburg. The latter told me that all foreign Jews had been ordered to leave this city at once.

I wrote immediately to Mr. de Giers, and Mr. Edwards saw General Zouroff, the prefect of the city, and obtained from him a delay of three days.

As I did not hear from Mr. de Giers, I went to see him and suggested that this man might at least have a delay of some weeks in order that he might dispose of his property or embark with it for England on the opening of navigation. When the three days had expired I applied to General Zouroff for a further extension, and obtained a week. As no vessel had in the mean time arrived, I applied at its expiration for still further delay and obtained three days more, with an intimation that General Zouroff regretted that it would be impossible for him to accord any further delay.

The extended time expires to-day. English steamers have in the mean time arrived, and Pinkos will be able to embark at once with his family and property.

I have heard nothing whatever from Mr. de Giers, from which I infer that he is unable to interfere with General Melikoff's order. Upon calling at the foreign office yesterday I was unable to see him on account of the Easter holidays.

I understand that, since it has appeared, many Jews have been engaged in the plots against the Emperor, and that foreign Jews have been ordered to leave not only St. Petersburg, but Moscow, and some other large towns, where they have hitherto been permitted to reside.

I have, etc.,

WICKHAM HOFFMAN.

No. 16.—*Mr. Hoffman to Mr. Evarts.*

No. 208.] LEGATION OF THE UNITED STATES,
St. Petersburg, May 17, 1880. (Received June 5.)

SIR: Referring to my dispatch No. 205, in relation to the case of Henry Pinkos, an American citizen and an Israelite, I have the honor to inform you that I am at length in receipt of a note from Mr. de Giers in answer to mine of the 20th of April.

The Russian Government grants to Pinkos a delay of three months in order to wind up his business.

On sending to notify him I found that he was still at St. Petersburg, the police superintendent of his district having permitted him to remain from day to day since the expiration of the time allowed him by General Zouroff, to await the answer of the Russian Government.

I have, etc.,

WICKHAM HOFFMAN.

No. 17.—*Mr. Foster to Mr. Evarts.*

No. 9.] LEGATION OF THE UNITED STATES,
St. Petersburg, June 17, 1880. (Received July 3.)

SIR: Your dispatch No. 2, of the 14th of April last, relating to the reported treatment of the Jews in Russia, was duly received.

I beg to state that the views expressed therein have been steadily kept in mind and are heartily reciprocated by me; but up to the present date no fitting opportunity has offered to enable me to submit to the Russian Government the representations indicated by the gentlemen referred to in your dispatch. You are doubtless aware that the present state of public feeling in this country is such that the Imperial Government would not receive in a kindly spirit any suggestions which might have the semblance of criticism upon the repressive measures it has thought necessary to adopt in view of the repeated attempts upon the life of the Emperor. I must, therefore, await a more favorable occasion to make the representations alluded to; an imprudent or hasty presentation of them would be likely to aggravate rather than improve the condition of the people for whose benefit my intervention has been asked.

Mr. Hoffman has reported to you the action of the Russian Government in ordering non-resident foreign Jews to leave St. Petersburg and other cities.

As this power has been heretofore exercised by this Government and acquiesced in by my predecessors, I have not thought proper to revise the question in the absence of instructions from the Department.

I am, etc.,

JOHN W. FOSTER.

No. 18.—*Mr. Evarts to Mr. Foster.*

No. 14.] DEPARTMENT OF STATE,
Washington, June 28, 1880.

SIR: I have to acknowledge the receipt of Mr. Hoffman's No. 205 and 208, in relation to the expulsion of foreign Jews from certain large towns and cities of Russia, and the expulsion of Mr. Henry Pinkos, a Jew and an American citizen, from St. Petersburg in particular. It appears from the latter dispatch that Pinkos has been allowed to remain three months. Mr. Hoffman does not specifically state that Mr. Pinkos or the other Jews referred to have been ordered to leave Russia, as well as St. Petersburg, but that is the implication of the dispatches.

In reply I have to observe that in the presence of this fact, that an American citizen has been ordered to leave Russia on no other ground than that he is the professor of a particular creed, or the holder of certain religious views, it becomes the duty of the Government of the United States, which impartially seeks to protect all its citizens, of whatever origin or faith, solemnly, but with all respect to the Government of His Majesty, to protest. As this order of expulsion applies to all foreign Jews, in certain towns or localities at least of Russia, it is of course apparent that the same is not directed especially against the Government of which Mr. Pinkos is a citizen, and, indeed, the long-standing amity which has united the interests of Russia with those of this Government would of itself forbid a remote supposition that such might be the case. Notwithstanding this aspect of the matter, the United States could not fail to look upon the expulsion of one of its citizens from Russia on the simple ground of his religious ideas or convictions except as a grievance akin to that which Russia would doubtless find in the expulsion of one of her own citizens from the United States on the ground of his attachment to the faith of his fathers.

It is intimated in Mr. Hoffman's No. 205 that the reason of this order may be found in the supposed implication of Jews in the plots formed against the life of the Emperor, and in so far as this may be true the Government of Russia has the entire sympathy of the Government of the United States in all just preventive efforts; and if there exists good evidence that Mr. Pinkos has been connected with any of these attempts the Government of the United States can not object to his expulsion on that ground. But such a charge does not appear to have been brought against Mr. Pinkos; and it is confidently submitted to His Majesty's Government whether, in the event Mr. Pinkos should finally be expelled from Russia, or be otherwise interrupted in his peaceful occupations, on the sole ground that his religious views are of one kind rather than another, he would not be justly entitled to make a reclamation for the damage and loss to which he might thereby be subjected.

You will present these views at the foreign office in the courteous spirit in which they are made.

I am, sir, etc.,

WM. M. EVARTS.

No. 19.—*Mr. Hoffman to Mr. Evarts.*

No. 18.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 15, 1880. (Received July 31.)

SIR: I have the honor to acknowledge the receipt of your dispatch No. 14, addressed to Mr. Foster, in which you instructed him to make certain representations to the Imperial Government in relation to the expulsion of American Jews from Russia, and especially in reference to the case of Mr. Henry Pinkos.

* * * * * * *

In his No. 9 Mr. Foster wrote to the Department that while its views upon the subject of the treatment of foreign Jews in Russia were steadily kept in mind and heartily reciprocated by him, he did not consider the moment opportune for making representations to the Imperial Government upon the subject, and that such represen-

tations might aggravate rather than improve their condition. This dispatch had not reached you at the date of your No. 14.

In view of this dispatch it appears to be my duty to await Mr. Foster's return or your further instructions. Should you see fit to telegraph me to make the representations indicated, there will be a delay of two weeks only in their presentation.

In relation to this particular case of Pinkos, I have unofficial reasons for believing that at the expiration of the three months granted him, if he wishes to remain, he will not be disturbed. He tells me, however, that he has had enough of Russia and wishes to return to the United States.

I may be permitted to add that I did not intend to imply in my No. 205 that Mr. Pinkos had been ordered to leave Russia. I stated that "he had been ordered to leave St. Petersburg." I carefully examined and had a translation made of the police indorsement upon his passport, and called his attention to the fact that he was to leave St. Petersburg only. He answered, however, and justly, that with a business established here, to be ordered to leave St. Petersburg was equivalent, in his case, to being ordered to leave Russia.

I do not understand that foreign Jews have been ordered to leave Russia. As I had the honor to state in my No. 205, "foreign Jews have been ordered to leave not only St. Petersburg, but Moscow and some other large towns, where they have hitherto been permitted to reside."

These cities, it will be recollected, are under martial law, as I had the honor to report in my No. 94, of April 23, 1879; and the harsh measures of the expulsion of foreign Jews from them must be looked upon, I fear, as within the legal power and authority of the military governor.

With these explanations before you, should you still think that representations should be promptly made to the Imperial Government in regard to the case of Mr. Pinkos, it will give me pleasure to make them in the admirable language of your dispatch.

I am, etc.,

WICKHAM HOFFMAN.

No. 20.—*Mr. Hoffman to Mr. Evarts.*

[Extract.]

No. 20.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 21, 1880. (Received August 9.)

SIR: Referring to my correspondence with the Department upon the case of Henry Pinkos, an American Jew, ordered out of St. Petersburg, and especially to my No. 208 upon this subject, I have the honor to inform you that, the three months' delay granted Pinkos having expired, he sold his little property at a sacrifice and prepared to leave Russia.

Having paid his passage and sent his baggage on board a vessel at Cronstadt, he was preparing to embark with his family when he was asked by the police for his passport. He showed them the indorsement ordering him to leave St. Petersburg, which he supposed to be sufficient. They told him that it was not, and sent him and his family back to St. Petersburg to procure the necessary permission. The ship sailed without him, carrying off his baggage. The captain refused to return the passage-money, as he had asked him if his passport was in order, and he found himself with his family penniless in St. Petersburg, and was indebted to private charity for the means to leave the country. This he was to have done yesterday.

I was upon the point of addressing to Mr. de Giers a note, remonstrating against the harsh treatment of Pinkos, but have concluded to await your reply to my No. 18 in reference to this case and to the general subject of the expulsion of foreign Jews from St. Petersburg and other large cities. While I feel much indignation at the manner in which this respectable and orderly citizen of the United States has been treated, I am compelled to recollect that he came voluntarily to reside nine months ago in a city then under martial law; and I am further compelled to admit that an order to leave St. Petersburg does not necessarily carry with it permission to leave Russia.

Mr. Pinkos's family complained bitterly of the unnecessary harshness with which he had been treated by the police at Cronstadt, * * *

I am, etc.,

WICKHAM HOFFMAN.

No. 21.—*Mr. Evarts to Mr. Hoffman.*

No. 22.] DEPARTMENT OF STATE,
Washington, August 10, 1880.

SIR: I have to acknowledge the receipt of your dispatches of the 15th and 21st ultimos, in the case of Henry Pinkos, a citizen of the United States, of the Jewish faith, who has been ordered to quit St. Petersburg.

In view of the cruel situation in which Mr. Pinkos was placed by the action of the police at Cronstadt I telegraphed you to-day as follows:

"Dispatch 20 received. Make every proper representation to the Government in Pinkos's case that will relieve his situation."

I am sure that His Majesty's Government will require no further reasons for the extension to Mr. Pinkos of such facilities for his departure from Russia, and for making good to him, as far as may be possible, the loss of property incident to the action taken by the authorities in his case, than a plain statement of the facts.

I am, etc.,

WM. M. EVARTS.

No. 22.—*Mr. Hoffman to Mr. Evarts.*

No. 23.] LEGATION OF THE UNITED STATES.
St. Petersburg, August 11, 1880. (Received August 30.)

SIR: I have the honor to acknowledge the receipt of your cipher telegram of yesterday, which I deciphered as follows:

"Dispatch 20 received. Make every proper representation to the Government in Pinkos's case that may relieve his situation."

Mr. Pinkos left Russia with his family on the 20th July. I did not see him personally, but I inferred from what his wife said that there had been no further police interference with him, but that he had made up his mind that Russia was no place for one of his creed, and that he proposed to establish himself in Liverpool, or return to the United States.

As the object of your telegraphic dispatch appears to have been to do everything in your power to relieve Pinkos's situation, and he has left the country, there appears to be no necessity for my communicating with the Russian Government. I shall call Mr. Foster's attention, however, to your telegram immediately upon his return. This may be expected on or shortly before September 1.

I am, etc.,

WICKHAM HOFFMAN.

No. 23.—*Mr. Evarts to Mr. Foster.*

No. 27.] DEPARTMENT OF STATE,
Washington, September 4, 1880.

SIR: I have to acknowledge the receipt of Mr. Hoffman's No. 23 of the 11th ultimo in the Pinkos case.

Notwithstanding the tenor of your No. 9 and of your note to the Department of July 24 last, as to the inexpediency of presently appealing to the Government of the Czar, in the sense of the instruction of June 28 last, touching the expulsion of citizens of the United States from Russia (or certain cities thereof) by reason of their religious convictions, the statements of Mr. Hoffman's No. 23, of August 11, last, are such that the Government of the United States would seem indifferent to the cause of its citizens in Russia did it neglect to make immediate remonstrance as set forth in said instruction of June 28. Mr. Hoffman's inference from the facts connected with Mr. Pinkos's departure from Russia is that Mr. Pinkos had made up his mind that Russia "was no place for one of his creed."

If the meaning of this is that a citizen of the United States has been broken up in his business at St. Petersburg, simply for the reason that he is a Jew rather than a believer in any other creed, then it is certainly time for this Government to express itself as set forth in the instruction above mentioned. It should be made clear to the Government of Russia that in the view of this Government the religion professed by one of its citizens has no relation whatever to that citizen's right to the protection of the United States, and that in the eye of this Government an injury officially dealt to Mr. Pinkos in St. Petersburg on the sole ground that he is a Jew presents the same aspect that an injury officially done to a citizen of Russia in New York for the

reason that he attends any particular church there would to the view of His Majesty's Government.

It is evident that the losses incurred by the abandonment of his business in St. Petersburg will afford Mr. Pinkos ground for reclamation, if no other cause can be shown for the official breaking up of his said business than the religious views he entertained.

The direct application to have Mr. Pinkos indemnified, however, may be deferred until he shall make it appear what those losses were.

I am, &c.,

WM. M. EVARTS.

No. 24.—*Mr. Foster to Mr. Evarts.*

No. 37.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 16, 1880. (Received October 6.)

SIR: Your several dispatches relating to the expulsion from St. Petersburg of Henry Pinkos, a citizen of the United States of Jewish faith, had been already acknowledged by Mr. Hoffman before my arrival. Mr. Hoffman thought proper to defer action upon your No. 14, of June 28 last, until further instructed after receipt of his dispatch No. 12, of the 20th of July, or till my return.

Having examined your instructions, and being informed of the facts of the case, I felt no hesitation in communicating to Baron Jomini, the acting minister of foreign affairs, the protest of our Government against the expulsion of American citizens from Russia, for no other reason than their adherence to the Jewish religion. It will be seen that in my note upon the subject, of which I inclose a copy herewith, I have adopted the language of your dispatch, and have only enlarged upon that dispatch in referring to the experience had in the United States in admitting the Jews to the full and unrestricted rights of citizens, which I deemed warranted by the tenor of your dispatch No. 2, of April 14 last.

The regulation for the expulsion of foreign Jews from St. Petersburg and other cities has been several times enforced against American citizens, in late years, and acquiesced in by my predecessors; but, should such action be attempted in the future, I will not fail to reiterate the protest already made, and seek to prevent the execution of the order.

I am, etc.,

JOHN W. FOSTER.

[Inclosure in No. 37.]

Mr. Foster to Baron Jomini.

LEGATION OF THE UNITED STATES,
St. Petersburg, September 2–14, 1880.

EXCELLENCY: The expulsion from this city of Henry Pinkos, a citizen of the United States, with the aggravating circumstances attending it, having been brought to the attention of my Government, I have been instructed by the Secretary of State to make known to your excellency the views of my Government thereon, and to protest against the treatment which said citizen has received.

Although the case has been heretofore brought to the attention of your excellency's department, it may be well to recall the facts attending it. In the month of April last, before I assumed the charge of this legation, Henry Pinkos applied to the consul-general of the United States in this capital for relief from an order which he said he had received from the police authorities to leave St. Petersburg, the only reason for his expulsion, as he understood it, being that he was a Jew. He was provided with a passport fully authenticating his American citizenship. The consul-general, upon inquiry, was informed that he was an industrious and quiet tradesman, and with a wife and one child had been residing in the city for some months. In the frequent interviews of the consul-general with the police authorities no charges or intimations were ever made that Pinkos was other than a peaceable and law-abiding resident.

The only relief which the consul-general and the chargé d'affaires of this legation could obtain from the police authorities was a suspension for a few days of the order of expulsion, until Mr. Hoffman was able to communicate with the foreign office and obtained through Mr. de Giers permission for Pinkos to remain for three months, to enable him to close up his business. At the expiration of this period Pinkos, having sold his little property at a sacrifice, proceeded to obey the order, placed his baggage on board a vessel at Cronstadt, and when preparing to embark with his family he was

asked by the police for his passport; whereupon he presented his American passport with which he had entered the country, with the police indorsement upon it ordering him to leave St. Petersburg, which he supposed was sufficient. The police informed him that this was not sufficient, and compelled him and his family to return to St. Petersburg. The captain of the vessel refused to refund him the passage-money paid, and sailed without him, carrying off his luggage. Having obtained from the authorities the permission required by the police, finding himself penniless, he was indebted to private charity for the means to leave the country, which he has done in compliance with the original order referred to above.

While the order was in its form merely an expulsion from St. Petersburg, Mr. Pinkos understood it to be virtually an order to leave the empire, in view of the fact that similar measures had been taken in Moscow and other cities, and of the announcement in the public press that foreign Jews were to be excluded from the country.

The Secretary of State instructs me to state to your excellency that in the presence of the fact that an American citizen has been ordered to leave Russia on no other ground than that he is the professor of a particular creed or the holder of certain religious views, it becomes the duty of the Government of the United States, which impartially seeks to protect all its citizens, of whatever origin or faith, solemnly, but with all respect to the Government of His Imperial Majesty, to protest. As this order of expulsion is understood to apply to all foreign Jews, in certain cities or localities at least, of Russia, it is of course apparent that the same is not directed specially against the Government of which Mr. Pinkos is a citizen, and, indeed, the long-standing amity which has united the interests of Russia with those of the Government of the United States would of itself forbid a remote supposition that such might be the case. Notwithstanding this aspect of the matter, the United States could not fail to look upon the expulsion of one of its citizens from Russia, on the simple ground of his religious ideas or convictions, except as a grievance, akin to that which Russia would doubtless find in the expulsion of one of her own subjects from the United States, on the ground of his attachment to the faith of his fathers.

It having been intimated to the Secretary of State by this legation that the reason of this order may be found in the supposed implication of Jews in the plots formed against the life of His Imperial Majesty the Emperor, the Secretary directs me to say that in so far as this may be true the Government of Russia has the entire sympathy of the Government of the United States in all just preventive efforts, and if there existed any good evidence that Mr. Pinkos has been connected with any of these attempts, the Government of the United States could not object to his expulsion on that ground. But neither the police authorities, in the several communications which the members of the consulate-general and this legation have had with them, in their efforts to obtain relief for Mr. Pinkos, nor your excellency's department, in the notes addressed to this legation on the subject, have ever intimated the existence of such a charge. Nor does the character of the citizens of the United States of Jewish faith afford ground for the supposition that they would be likely to engage in conspiracies or plots against the established government of the country. From the foundation of the United States as a nation, they have been entitled to the full and unrestricted privileges of citizens, and have shown themselves to be peaceable and law-observing in their conduct, quiet and industrious in their habits, and are esteemed a valuable portion of the community, so that in so far as the regulation for the expulsion of foreign Jews from Russia affects American citizens, whatever may be the conduct of their co-religionists of this or other countries, it is an unjust reflection upon American Jews as a class and a discrimination which can not be acquiesced in by my Government.

As, then, it does not appear that any criminal or improper conduct has been established against Mr. Pinkos, the Secretary confidently submits to his Imperial Majesty's Government whether, in view of the fact that Mr. Pinkos has been interrupted in his peaceful occupations and expelled from Russia on the sole ground that his religious views are of one kind rather than another, he is not justly entitled to make reclamation for the damage and loss to which he has been subjected?

In thus presenting, for consideration and appropriate action, the views of my Government upon this important subject, I improve, etc.,

JOHN W. FOSTER.

No. 25.—*Mr. Foster to Mr. Evarts.*

No. 41.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 28, 1880. (Received October 16.)

SIR: I am in receipt of your No. 27, of the 4th instant, relating to the expulsion from St. Petersburg of the Jewish American citizen, Henry Pinkos.

You will have noticed by the receipt of my No. 37, of the 16th instant, that I have already executed the instructions contained in your No. 14, of June 28 last, in a manner which I trust will be satisfactory to you.

As therein stated, it will be remembered that I was absent from this capital on leave when your No. 14 was received at the legation. My No. 9 was written before the receipt of your No. 14, and related mainly to the inexpediency, or rather inopportunity, of making representations in favor of Russian Jews, and my note of July 24 referred to by you manifests a hearty concurrence in the views and instructions of your No. 14.

Mr. Pinkos has returned to the United States without leaving his address, and I have no means of obtaining accurate information as to the amount of his losses, but should the phase of the question make a bill of particulars essential, sufficient data are at hand to cover that point.

I am, etc.,

JOHN W. FOSTER.

No. 26.—*Mr. Foster to Mr. Evarts.*

No. 48.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 20, 1880. (Received November 11.)

SIR: It becomes my unpleasant duty to report another case of the enforcement against an American citizen of the order prohibiting foreign Jews to reside in St. Petersburg. The first knowledge which I had of the fact was obtained through a letter from Mr. White, our minister in Berlin, a copy of which and of my reply thereto I herewith inclose.

From Mr. White's letter it will be seen that Mr. Marx Wilczynski, a citizen of the United States, having a passport issued in due form by the legation at Berlin, came to Russia on business as the agent of an American mercantile firm. On the 25th (13th) of last month he was ordered to leave St. Petersburg, the reason alleged for said order being that he was a Jew; and the following indorsement was placed upon his passport by the police authorities:

[Translation.]

The bearer of this passport, a North American citizen, a merchant and a Jew, Marx Wilczynski, is forbidden to reside in St. Petersburg.

September 13, 1880.

Chief of section:

P. SAPCIENTRE.

[SEAL OF ST. PETERSBURG PREFECTURE.]

Mr. Wilczynski states that he had not time when this order was received to apply to this legation for advice and assistance; but having reached Berlin, he now applies to me, through the legation in that city, to have the order of expulsion rescinded, and asks me to inform him what rights, if any, American citizens of the Israelitish faith have in Russia.

Acting upon the tenor of your instructions in the recent case of Mr. Pinkos, I have addressed Baron Jomini, acting minister of foreign affairs, a note, of which I inclose a copy, protesting against the action of the police, as a new infringement upon the rights of American citizens and of international comity, and as an interference with the reciprocal liberty of commerce guarantied by treaty. After embodying the views expressed in your No. 27, of the 4th ultimo, as cumulative of my note in the Pinkos case, a copy of which I transmitted with my No. 37, of the 16th ultimo, I asked the minister that Mr. Wilczynski might be permitted freely to return to Russia to prosecute his business engagements, and that the police authorities of St. Petersburg be instructed not to molest him in his lawful pursuits.

I have received no answer as yet to my note to the minister in the case of Mr. Pinkos.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 1 in No. 48.]

Mr. White to Mr. Foster.

LEGATION OF THE UNITED STATES OF AMERICA,
Berlin, October 15, 1880.

MY DEAR COLLEAGUE: I take the liberty of sending you the inclosed passport of Mr. Wilczynski for the following reason:

Mr. Wilczynski is the agent of an American mercantile firm, and has much business in Russia. On his last visit to that country, he took out the inclosed passport at this

legation and had no trouble until he reached St. Petersburg, where he was ordered to leave the place on account of his being a Jew by birth. An indorsement to this effect was made by the authorities on the back of his passport, which practically neutralizes the value of that paper in Russia in protecting him as an American citizen.

Mr. Wilczynski states that he had not time when this occurred to apply for advice and assistance to the American legation, but has now addressed a letter to you and has requested me to forward his passport in order that, if you think proper, you may appeal to the proper authorities to have the order of expulsion rescinded, or, at any rate, inform him what rights, if any, American citizens of the Israelitish faith have in Russia.

He has taken out another passport at this legation in case he should have to return suddenly to Russia, and therefore I would request that his old passport would be returned to this legation when you shall have finished with it.

I would also consider it a great favor if you would inform me, in view of other cases of the same nature, what reply I can safely make.

I remain, etc.,

AND. D. WHITE.

[Inclosure 2 in No. 48.]

Mr. Foster to Mr. White.

LEGATION OF THE UNITED STATES,
St. Petersburg, October 18, 1880.

MY DEAR COLLEAGUE: I am in receipt of your letter of the 15th instant, with which you inclose the passport of the American citizen Marx Wilczynski, with the indorsement of the police of St. Petersburg, forbidding him to reside here, and you inquire whether such order can be rescinded and what rights American citizens of the Israelitish faith have in Russia.

The laws of Russia impose certain disabilities upon all Jews, among which is the prohibition against residence in St. Petersburg and certain other localities. In the past few years this prohibition has been repeatedly enforced against American citizens of the Jewish faith, and acquiesced in by my predecessors. I was thoroughly convinced of the injustice of the prohibition, but did not feel warranted in reversing the precedent set by my predecessors, without first referring the question to the Department. Secretary Evarts has instructed me in a recent case to protest against the expulsion of Jewish-American citizens, and I have accordingly done so. I will repeat the protest whenever occasion requires, and endeavor to obtain relief for citizens of the United States; but whether the Russian Government will be influenced by my protest and endeavors, remains to be seen.

In Mr. Wilczynski's case I will send the minister of foreign affairs a note protesting against the action of the police authorities, and will ask that instructions be given to said authorities not to disturb him in his lawful pursuits in case he should return to this city.

It will not be safe, however, for Mr. Wilczynski to come to Russia until I shall have obtained an assurance from the minister that he can do so without interference on the part of the authorities. It may be some time before I can receive an answer from the minister, as the Emperor is now in the Crimea, and General Melikoff, to whose department the subject pertains, is also temporarily absent from this city. In case Mr. W.'s business affairs should make it urgent that he have an early reply, you will please to inform me, and I will then consider the propriety of calling in person at the foreign office, and pressing an early solution of the matter.

The prohibition against Jewish residence in St. Petersburg was not strictly enforced until the late Nihilistic movement caused an order to be issued expelling all foreign Jews. I am satisfied that sooner or later the Russian Government must modify or repeal its illiberal laws respecting the Jews, and I will lose no proper opportunity to do what I can to hasten that event; but it is very doubtful whether it will consider the present an opportune time.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 3 in No. 48.]

Mr. Foster to Baron Jormini.

LEGATION OF THE UNITED STATES,
St. Petersburg, October 7 (19), 1880.

EXCELLENCY: I beg leave to bring to your excellency's attention the following facts, as they have been reported to me by the legation of the United States at Berlin.

Mr. Marx Wilczynski, a citizen of the United States, is the agent of an American mercantile firm, and as such has much business in Russia. On his last visit to this country he was granted a passport by the American legation at Berlin, with which he entered Russian territory, observing the proper requirements in regard to passports, and encountered no difficulty until he reached St. Petersburg, where he was not permitted by the police authorities to remain, for the reason that he was a Jew; and an indorsement to that effect was placed upon his passport. He states that when this order was served upon him he did not have time to apply to this legation for advice or assistance, and he has taken the first opportunity after his expulsion to resort to the nearest diplomatic representative for interposition in his behalf. The interests of the American mercantile firm which he represents require him to return to this country and this city. I inclose herewith the passport with which Mr. Wilczynski came to Russia, in order that your excellency may see the prohibitory order placed upon it by the police of this city. After due examination, I have to request that the passport may be returned to me.

It became my duty, in the note which I had the honor to address to your excellency on the 2d (14) ultimo, in a case similar to the present one, to make known the views of my Government in regard to the expulsion of one of its citizens simply for the reason that he was a Jew rather than a believer in any other creed; and I must again respectfully but solemnly protest against this new infringement upon the rights of American citizens, and of the comity which should exist between friendly nations.

Your excellency will not fail to notice that the action of the police authorities in the present case, as well as that of Mr. Pinkos, bears the grave aspect of an interference with the reciprocal liberty of commerce which is guarantied by solemn treaty stipulations, and the development of which is so ardently desired by both countries.

On account of this new instance, it is regarded as important that it should be made clear to your excellency's Government that, in the view of the Government of the United States, the religion professed by one of its citizens has no relation whatever to that citizen's right to the protection of the United States; and that in the eye of my Government an injury officially dealt to Mr. Wilczynski or Mr. Pinkos, in St. Petersburg, on the sole ground that they are Jews, presents the same aspect that an injury officially done to a subject of Russia in New York, for the reason that he attends any particular church there, would to the view of His Imperial Majesty's Government.

I have, therefore, respectfully to request that Mr. Wilczynski may be freely permitted to return to Russia to prosecute his business engagements, and that the police authorities of St. Petersburg be instructed not to molest him in his lawful pursuits. In view of the exigencies which may require his early return, I venture to express the hope that it may be found convenient to favor me with an early reply to this request.

It is very gratifying to me to have this opportunity to reassure your excellency of my highest esteem and profound consideration.

JOHN W. FOSTER.

No. 27.—*Mr. Hay to Mr. Foster.*

No. 35.] DEPARTMENT OF STATE,
Washington, October 22, 1880.

SIR: I have to acknowledge the receipt of your Nos. 37 and 41, of the respective dates of 16th and 28th ultimo, reporting your action upon the recent instructions of the Department in the special case of Henry Pinkos, and upon the general subject of the expulsion of American citizens from Russian cities on no other ground than profession of the Hebrew faith.

Your course appears to have been discreet, and it is hoped that you will press your representations to the successful establishment of the principle of religious toleration for our citizens peacebly residing or traveling abroad, which we, as a nation, have such a deep interest in maintaining.

I am, etc.,

JOHN HAY,
Acting Secretary.

No. 28.—*Mr. Foster to Mr. Evarts.*

No. 73.] LEGATION OF THE UNITED STATES,
St. Petersburg, December 30, 1880. (Received Jan. 17, 1881.)

SIR: In my No. 48, of October 20 last, I reported to you the case of the American citizen of Jewish faith Marx Wilczynski, who had been expelled from St. Petersburg because of his religion. In my No. 37, of September 16, I reported the execution of your instructions in the case of Henry Pinkos.

My notes on these two cases remained without any reply during the absence in Livadia of the Emperor and Mr. de Giers, the present head of the foreign office. Soon after their return, to wit, on the 10th instant, I called upon Mr. de Giers, and directed his attention to my notes in the two cases of Messrs. Pinkos and Wilczynski, as presenting a question of much interest and importance to my Government, and regarding which it was highly desirable to reach a satisfactory settlement at as early a day as could be found convenient.

Mr. de Giers said that owing to the press of business upon his return to the capital he had not yet been able to examine the question with care. I thereupon suggested that if he could name a day when it would be agreeable for me to call again at the foreign office he might have an opportunity in the mean time to read my notes, which contained a statement of your views; and he was kind enough to fix upon the 16th instant for the conference.

On the evening of the 13th instant, however, I received from him notes of reply in both cases, translations of which I inclose herewith. It will be seen that the answer to my protest, in the case of Pinkos, is in substance that all the acts of the Russian authorities complained of were in strict accordance with the existing laws. In Wilczynski's case the minister states that, in view of the intervention of the legation, he will be permitted to return to St. Petersburg and remain for six months. It is to be noted that this is the extreme length of time granted to any foreign resident upon his national passport.

Notwithstanding the definite character of these replies, I deemed it important to hold the conference with the minister agreed upon in my last visit, and I accordingly called at the foreign office at the hour designated, on the 16th instant, and was received by Mr. de Giers. I thanked him for the prompt answer which he had given to my notes in regard to Pinkos and Wilczynski, but said that I had thought it desirable to have a personal interview (especially as the conclusions reached by his Government in neither case were entirely satisfactory), as in this way we might the better reach some understanding and avoid future trouble. His answer in the case of Pinkos was that all the acts complained of were in strict accordance with the laws. In my effort to investigate the question I had found great difficulty in learning what the laws were in relation to the Jews. I could find no digest of them, but had been given a large volume, in the Russian language, of nearly twelve hundred pages, which I was informed related exclusively to the laws and regulations governing the Jews in Russia. It appeared almost impossible for me to learn what the laws now existing were, and he could readily understand the difficulty a foreign Jewish merchant or visitor would have in understanding them. I recognized the considerate attention which the Russian Government had shown to all the requests of the legation regarding American Jews; but my Government objected to the discrimination on account of religion or race, which made the intervention of the legation necessary. It claimed for its citizens of the Jewish faith the same rights and protection extended to other American citizens, and insisted that there should be no distinction in applying the treaty guaranty of reciprocal liberty of commercial intercourse. If the Russian Government was not prepared to concede this, then, until the views of the two Governments could be harmonized, as new cases were constantly arising, it was desirable to know what the Russian laws and regulations in regard to foreign Jews were, and whether some general rule or course of action could be indicated, so that American Jews would know what treatment they might expect.

The minister, Mr. de Giers, answered that the Russian Government had found the Jewish question a very vexatious and disagreeable one, both as to the internal relations and the treatment of foreign Jews. He then proceeded at some length to a historical sketch of the question in its legal, political, and social aspects, which, although quite interesting, I am constrained to omit on account of the space which this dispatch will necessarily occupy even without it.

The experience which Russia had had with its Jewish subjects (who are almost exclusively Polish) had shown them to be a bad class of society, largely engaged in smuggling and illegal commercial transactions. Of late years they had been active participants in revolutionary conspiracies and plots against the life of the Emperor, and had shown a restless and disloyal inclination.

The minister said that there was every disposition to enforce the laws as leniently as possible against American Jews, especially as they were few and usually of the

better class; but owing to the large number of German and Austrian Jews on the border it was difficult to relax or repeal the laws.

Since the case of Pinkos had occurred the Government had been studying the question so as to adopt some general regulation which would more nearly meet the views of the United States, and that within the past few days it had been made the subject of a general ministerial conference.

The minister of the interior, General Melikoff, to whose department the subject pertains, would endeavor to make a satisfactory settlement. He then explained to me that the treatment of Pinkos arose out of the peculiar circumstances of the time. The investigations following the explosion in the winter palace and attempt upon the Emperor's life, showed that more than half of those implicated were Jews. This occasioned a strong demand for the vigorous enforcement of the old laws, which had for some time been very loosely carried out. Pinkos became involved in the police surveillance, without any intention on the part of the authorities to be wanting in consideration to American residents.

I asked Mr. de Giers if the same liberal permission would be extended to other American Jews coming to Russia as had been indicated in his note regarding Mr. Wilczynski. If so, and I could advise my Government to that effect, it would avoid many annoyances and relieve the foreign office and the legation from much trouble.

He replied that so far as he was concerned a like consideration would be shown in all meritorious cases, and at the expiration of six months even longer time might be given if desired. But until some general decision was made it would be difficult to give an assurance which would cover all cases. Responding to my inquiry, he said the subject belonged specially to General Melikoff's department, and there would be no impropriety in my conferring with him regarding it.

I alluded to the large number of Jews resident in St. Petersburg, estimated by persons who had given attention to the matter at 30,000, while the number registered by the authorities under the laws I had understood was less than 2,000. While I was gratified at this liberal action, I asked that no greater rigor should be shown towards American citizens of the Jewish faith than to Russian Jews.

The minister answered that he was not accurately informed as to the statistics, but he had not thought the number of Jews was so large. This class of residents was constantly coming and going, and the number varied greatly from year to year. But there could not exist any discrimination to the disadvantage of American citizens.

In the course of the conversation I stated that while the object of the interview was to obtain proper recognition of the rights of American Jews, my Government took a deep interest in the amelioration of the condition of the Jewish race in other nations, and I was satisfied that it would be highly gratified at the statement of the minister that a commission was now considering the question of the modification in a liberal sense of the Russian laws regarding the Jews. The experience of the United States had amply shown the wisdom of removing all discriminations against them in the laws, and of placing this race upon an equal footing with all other citizens.

Mr. de Giers said he sympathized fully in theory with the view taken by my Government, as most in consonance with the spirit of the age, But in Russia the subject could not be treated as an abstract question. A long series of legislative acts and regulations, the strong prejudices of the masses of the Russian people, the bad character of great numbers of the Jewish race, and various other political and social circumstances are to be taken into consideration.

At the close of the interview, at my request, Mr. de Giers said he would have prepared for me a memorandum containing an abstract of the leading provisions of the laws and regulations affecting the Jews.

On the day following, the 17th instant, in a note addressed to Mr. de Giers, I acknowledged the receipt of his two notes of the 13th instant, in the cases of Pinkos and Wilczynski, and stated that in view of the conference of the day previous I would limit myself to forwarding copies of the correspondence and a report of the conference to you, and await your further instructions.

Being desirous of impressing the views of our Government on this question upon General Loris Melikoff, the minister of the interior, to whose department has been intrusted the execution of most of the late reforms in administration and legislation, I called upon him on the 21st instant, and had an interview of some length, in the course of which I presented to him substantially the same views as developed in my conference with the minister of foreign affairs, both in relation to the position of our Government in claiming equal protection and privileges for its citizens in Russia, and protesting against the discrimination made against American Jews, as also expressing the sympathy of the United States with all the movements for the amelioration of the condition of the Jews in other countries.

General Melikoff received me very cordially, and replied that he was very glad to talk with me on the subject, and was disposed to do everything in his power to meet my views. So far as special exemptions were concerned they would be readily made whenever requested by me, but that it was impossible at present to change the laws.

If the American Jews were the only persons of this class they had to deal with, there would be no difficulty in conforming the laws as to foreign Jews to the views of the Government of the United States, as there was no fear that my country would send them nihilists, conspirators, or smugglers. But there was no end of trouble from the Jews of Germany and Austria and along the western frontier, which compelled the most rigorous measures. I could form no idea of the embarrassments which surrounded the Government in dealing with this question. The investigations showed that they were the most troublesome element and were found in all the conspiracies, and both the safety of the Government and a due regard for public opinion made it impossible to change the laws. However much the minister sympathized with my desire to see some liberal modification of the laws, it must be borne in mind that there was a wide difference in the situation of the United States and Russia on this question. In the United States they were comparatively few in number, generally of the better class, and no fear was felt as to their machinations either from within or without; whereas Russia required not only to look closely after the six millions within its borders, but especially to protect itself from the worst class of Jews of Germany and Austria, who gave an immense deal of trouble. It was on account of the latter especially that it was necessary to maintain the regulation prohibiting foreign Jews to come to St. Petersburg.

So far as concerned Jews who were bona fide American citizens (not disguised German Jews), he would assure me of the most liberal treatment, as he knew it was the desire of the Emperor to show all possible consideration to American citizens. If such came to St. Petersburg and encountered any trouble, if I would merely send him an unofficial note, he would give them all the time I might ask for them to remain here to attend to their business. He expected to go to see the Emperor that day and would inform him that he had given me assurance that the American Jews should have this privilege, and he was sure his sovereign would approve his action; but this would be a special exception, as the existing laws must stand for the present for the protection of the Government.

I thanked the minister for the consideration which he proposed to show to this class of my countrymen and to the legation, and assured him that I highly appreciated the friendly spirit manifested towards the United States. I was, however, sorry to learn that the laws could not be entirely repealed, as such a course would be much more in accordance with the views entertained by my Government, and it would be highly gratifying to it to see all the prohibitions against Jews, natives as well as foreigners, abolished.

I have further to report that, acting upon the spirit of the instructions contained in your No. 2, of April 14 last, and with the object of impressing more fully upon the ministry the views of our Government on the general subject of reform in Jewish legislation, I have also had a conversation with the minister of worship, who listened with much interest to my presentation of the subject. He said that a commission was now engaged in studying the question of a reform in these laws. He frankly recognized that the laws were not fully in accordance with the spirit of the age, and stated that it was the earnest desire of the Russian Government to conform its code on this subject more nearly to the civilization of this century, but it found itself surrounded by many difficulties to which other nations were not subjected, and that great prudence had to be exercised in the remedial measures taken.

I have waited some days to communicate to you the correspondence referred to and the result of my efforts to reach a satisfactory solution of the question, in the hope that Mr. de Giers would be able to send me the promised memorandum regarding the Jewish laws, as a knowledge of them is material to a full understanding of the questions at issue. I thought proper to again visit the foreign office on yesterday and in recalling the subject to Mr. de Giers' attention. I referred to my interview with the minister of the interior, General Melikoff, as very pleasant and cordial, but said that that interview developed more fully that the Russian Government was disposed to grant what we desired only as a favor when my Government asked it as a right. We objected to any discrimination being made against American citizens on account of religion, as our Government was bound to extend equal protection to all citizens without distinction; and, while I highly appreciated the consideration which it was proposed to show to American citizens of the Jewish faith, I feared my Government would not be satisfied with the attitude which was assumed on the question as a matter of right.

The minister explained that all that could be done under existing circumstances was to except American Jews in the manner proposed from the rigorous operations of the laws. It was to be borne in mind that the United States is probably the most advanced nation of the world in the application of liberal laws and principles, but that the same degree of liberality could not be applied to countries differently situated; and that even in the United States had it not been found somewhat difficult to make a universal application? He did not refer to the former treatment of the negroes, but to the existing state of affairs. Were there not laws and regulations which

denied certain rights and privileges to designated clases of persons, and were we not seeking to exclude or regulate Chinese immigrants, and deny to them the rights extended to other inhabitants? Besides, the Jews in the United States were of the better class of their race, and there was not the same reason for their exclusion as in Russia. Most of the Jews of this country are Polish, who are recognized as among the worst class, and are bad, very bad, members of society as a rule. They are constantly giving the Government trouble, prominent in conspiracies, disorders, smuggling, and deceit. For instance, in the trouble a few days ago in the university at Moscow, more than half, yes three-fourths, of those concerned in the trouble were Jewish students. (The minister alluded to the disorder which occurred at Moscow ten days ago when the students of the university organized a "college rebellion," owing to some dissatisfaction with certain professors, and by order of the governor-general about four hundred of them sent to prison for a short time.)

The Government, after generations of exclusion, had opened the universities and schools to the Jews, and, said the minister, this is the way they repay its liberality. And so it is almost always when disorders occur. There was every disposition to meet the wishes of the Government of the United States, but it should consider the situation of the country, and remember the difficulty Russia finds in abrogating its laws on this question.

I replied that I recognized the difficulty the Russian Government had in treating the subject so long as the laws existed, but would not the abrogation of the laws proscribing the Jews as such be the easiest way of solving the difficulty? By placing them on the same footing as other inhabitants, they would not then be a proscribed race, and they would be punishable as others for bad conduct. Such a course would be highly gratifying to the United States, and I hoped his Government would at no distant day see its way clear to take such a step. I was aware of no law of the United States which limited the rights of its inhabitants on account of race or religion. So far as Chinese immigrants were concerned it was true that trouble had arisen in certain localities, but this was not occasioned by any laws curtailing their rights, neither had the Government at any time denied or evaded its treaty obligations, but had met the difficulty by direct negotiations with the Chinese Government, and with satisfactory results for both nations.

The minister said he regretted not having sent me the memorandum on the Jewish laws, but it had been found a more serious task than had been anticipated, and that longer time had been asked to complete it, but that he hoped to be able to send it to me very soon.

Such are the results of my efforts to execute your instructions and to secure to American citizens of the Jewish faith the same rights as are accorded to other citizens of the United States. I am sorry not to accompany this dispatch with a full statement of the Russian laws bearing on the question, but as soon as it is received from the foreign office I will forward it. You will find some reference to these laws in Mr. Hoffman's No. 109, of May 29, 1879, which will be of interest and pertinent to the pending cases. My investigation has shown that the proscriptions of which we complain are based upon laws which were in force at the time of the execution of our treaty of commerce in 1832, and that as a matter of fact no greater privileges are granted to Russian than to American Jews similarly situated. Both are in a great measure under the ban of the laws. To the laws prohibiting Jews from residing in St. Petersburg there are various exceptions, but the Government reserves to itself the right of applying or withholding the exceptional privileges as it may think fit.

I have not been able to learn that any greater rigor in this respect has been shown to American Jews than to any other of their co-religionists. As a general rule favorable consideration has been given to the representatives of this legation in their behalf. And while the Government declines to change the laws, I have been given to understand, as you will see from the report of my conferences with the ministers of foreign affairs and of the interior, that American Jews, in whose behalf I may intervene, will be permitted to visit and remain in St. Petersburg a reasonable time to pursue their business avocations. I have already referred to the fact that under Russian law no foreigner can reside in this country longer than six months upon his national passport, as after that date he must obtain the consent of the Russian Government, which claims and exercises the right of refusing its consent at its will. Under the arrangement proposed as to American Jews, the only distinction in fact between them and other American residents is that a special application in their case would have to be made through the legation, the object being, I infer, to have its indorsement of the legitimacy of their business as well as of their citizenship—a kind of guarantee of their good conduct, a matter which it might be at times difficult to give.

It will thus be seen that while the Russian Government declines to accept the views set forth by you and denies that the treaty of 1832 concedes to American citizens of the Jewish faith any other or greater privileges than those enjoyed by Russian

subjects of the same race, it has manfested a friendly disposition toward American citizens in the application of the laws, and virtually offers to suspend their operation towards all Jewish citizens of the United States who can establish the fact that they come to Russia on legitimate business.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 1 in No. 73.]

Mr. de Giers to Mr. Foster.

IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF INTERIOR RELATIONS,
St. Petersburg, December 1 (13), 1880.

SIR: The imperial ministry has not failed to take into serious consideration the contents of the note which you addressed to it on the 2d (14th) September on the subject of the expulsion from the Russian territory of Mr. Henry Pinkos, a citizen of the United States.

The ministry hopes that an accord in the appreciation of the affair in question will not fail to be established if the Government of the United States shall be satisfied that all the measures of which Mr. Pinkos complains are in perfect conformity with the Russian laws.

In fact, it is in virtue of the regulations which authorize the residence of foreign Israelites in Russia only upon certain conditions that Mr. Pinkos found himself included in a general measure which was applied to him without the police having to inquire into his conduct.

It is also in virtue of the regulations, of which he has no right to plead ignorance, and the application of which can equally give him no right to indemnity, that Mr. Pinkos, having resided six months in Russia, could not leave Cronstadt without being furnished with a passport from the proper authorities. You will please observe in fact, sir, that the above-named person was not reconducted to the frontier, or embarked with the aid of the imperial authorities—in a word, that he did not undergo the process of expulsion, to which he was liable.

The legation of the United States having intervened in his favor by its note of April 8 (20) last, the Imperial Government hastened to comply with the request made in the said communication, and to ameliorate the condition of Mr. Pinkos in the very manner the legation had indicated. A delay of three months was consequently accorded to Pinkos to liquidate his affairs, and he was permitted at the expiration of this term to leave Russia on the same conditions as every foreigner who wishes to repass the frontier, nothing dispensing Pinkos from the obligations which the regulations prescribe on these occasions. On the contrary, the peculiar circumstances of his position and the term which had been granted him by special favor to regulate all the conditions of his departure, should have induced him to inform himself of the legal formalities required by the circumstances.

Thus the proceedings which our authorities took towards Mr. Pinkos present themselves both in their principle and their execution, not as exceptional measures, but as the legal consequence of general laws, the effects of which the individual abovenamed has had to undergo.

It is evident, too, as the note of the 2 (14) September acknowledges, that the measures taken on this occasion were not marked by any spirit contrary to the consideration which the Imperial Government has always professed for the quality of an American citizen.

As regards the exceptional dispositions of which foreign Israelites have been the object in Russia, and which have been provoked by their presumed participation in revolutionary proceedings, it is certain that the measures of the administration towards the Israelites in question have never had an exceptional character. If the proscription which concern them are rigorously executed, this rigor has nothing special in it, but results simply from the increased vigilance occasioned by present circumstances, which has led the imperial authorities to discover irregularities in the legal position of many foreigners residing in Russia. It became the duty of the imperial administration to see to the strict observance of the existing laws, availing itself for this purpose of the legal means in their hands.

It is in this way that Mr. Pinkos has felt the effect of the precautions taken in consequence of the proceedings of the social revolutionists, although the conduct of this foreigner happily sheltered him from the direct action of the measures, adopted to secure the public order.

The imperial ministry has endeavored to show that Mr. Pinkos has not been the object of any proceeding which goes beyond the regular application of existing laws. Convinced that in strict justice no irregularity can be imputed to our authorities, the ministry would consider itself so much the more fortunate if it can succeed in inducing the Government of the United States to share this conviction, inasmuch as the affair in question affects those relations which the Imperial Government desires to maintain, on all occasions, in their unvarying cordiality.

Receive, sir, etc.

GIERS.

[Inclosure 2 in No. 73.]

Mr. de Giers to Mr. Foster.

IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF INTERIOR RELATIONS,
St. Petersburg, December 1 (13), 1880.

SIR: In a note of October 7 (19), last, you addressed yourself to the imperial ministry of foreign affairs, with a view to obtain for Mr. Wilczynski, a citizen of the United States of America, permission to return to Russia, where the interests of a commercial enterprise, of which he is agent, called him.

The imperial ministry hastened to communicate to the ministry of the interior the afore-mentioned request.

A recent communication of the minister of the interior enables me to inform yon that, in view of the intervention of the legation of the United States, Mr. Wilczynski is authorized to return to St. Petersburg, and to remain here six months. The competent authorities have been informed of this ministerial decision.

Returning to you herewith the passport of the said Wilczynski, which accompanied the above-mentioned note of the legation of the United States, I profit by this occasion, etc.,

GIERS.

[Inclosure 3 in No. 73.]

Mr. Foster to Mr. de Giers.

LEGATION OF THE UNITED STATES,
St. Petersburg, December 5 (17), 1880

EXCELLENCY: I have the honor to acknowledge the receipt of your two notes of the 1 (13) instant, the one relating to the case of Henry Pinkos and the other to that of Marx Wilczynski, both American citizens of the Jewish faith.

In view of the conference which I had with your excellency on those and kindred matters on yesterday, I do not deem it necessary at present to make further reply to said notes than to say that I will forward copies thereof, as well as a report of said conference to the Secretary of State at Washington, and await his instructions.

With the renewed, etc.,

JOHN W. FOSTER.

No. 29.—*Mr. Foster to Mr. Evarts.*

No. 74.] LEGATION OF THE UNITED STATES,
St. Petersburg, December 31, 1880. (Received January 17, 1881.)

SIR: At a late hour on yesterday afternoon I received your cablegram, dated on the 29th instant, as follows:

"Urge treaty obligations, Wilczynski case. Further information awaited."

It will be seen by my dispatch No. 73, of yesterday which was just completed when your cablegram arrived, that I have been giving attention to the case, and have obtained for him permission to return to St. Petersburg, and remain for the limit of time granted to all foreigners upon their national passports, but that the Russian Government declines to modify the existing laws prohibiting foreign Jews to reside in this city.

I inclose copies of correspondence had with the legation at Berlin, which contains some additional facts relating to Mr. Wilczynski.

It appeared from the letter of Minister White, of October 15, inclosed with my No. 48 of October 20, that Mr. Wilczynski, when ordered to leave St. Petersburg, made no application to this legation for advice or assistance. He informed Minister White that he had addressed me a letter in regard to his case, but no such letter has been received. He has not again appeared at the legation in Berlin to learn the result of his application for permission to return to St. Petersburg, and Mr. Everett writes that he is probably now in Russia. If so, he has never made his presence known to this legation, and it is to be presumed that he has not been molested.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 1 in No. 74.]

Mr. Foster to Mr. White.

ST. PETERSBURG, *December* 14, 1880.

MY DEAR COLLEAGUE: On the 18th of October last I acknowledged receipt of your letter regarding Mr. Wilczynski's expulsion from St. Petersburg, and wrote you a second letter on the subject in October.

I now have the answer of the minister of foreign affairs to my application for Mr. Wilczynski's free return to St. Petersburg. He states that Mr. W. will be permitted to return to this city and remain for six months, and that the authorities have been so notified. This is the extreme limit of time allowed by the laws of Russia to all foreigners, without distinction, entering with a passport of their nationality, at the expiration of which time they are required to obtain a Russian passport, or police permission of residence, if they wish to remain.

I return the passport which you sent me.

Very truly, etc.,

JOHN W. FOSTER.

[Inclosure 2 in No. 74.]

Mr. Everett to Mr. Foster.

LEGATION OF THE UNITED STATES,
Berlin, December 18, 1880.

SIR: In Mr. White's absence I have the honor to acknowledge your letter of the 14th instant, returning Mr. Wilczynski's old passport and stating that he would be allowed to stay six months if he returned there. At the time his old passport was sent to you Mr. Wilczynski took out a new one, and said that he should not have any difficulty in returning to St. Petersburg, and staying as long as he wished for business purposes, as he was personally known to high officials in some of the departments, with which he had transacted business for some years. But his grievance was that he was expelled, as he understood, for being a Jew, and he wished to ascertain whether there was such a law against Jews, and whether the American legation could not protect our citizens against it.

I have been informed by one of the Russian secretaries of legation here that there is no law in St. Petersburg expelling Jews merely because they are Jews; but that probably this gentlemen had failed to comply with some regulation in his business transactions, or had perhaps associated with some of the suspected characters in the city, or was one of the Polish refugees, who it appears are an obnoxious class there.

Mr. Wilczynski has not called at this legation again, and it is probable that he is now in Russia, as he expressed his intention of returning there very shortly.

With many thanks for the trouble you have taken in the matter,

I am, etc.,

H. SIDNEY EVERETT.

No. 30.—*Mr. Foster to Mr. Evarts.*

No. 75.] LEGATION OF THE UNITED STATES,
St. Petersburg, December 31, 1880. (Received January 17, 1881.)

SIR: In my No. 73 of yesterday I have given the result of my efforts to obtain a modification of the laws of Russia in regard to foreign Jews, so as to exempt American Jews from the prohibition against residence in St. Petersburg and other cities of the Empire. As a supplement to that dispatch, it may be of interest to have some information as to the condition and treatment of the Russian subjects of the Jewish faith.

From early times there have existed laws prohibiting the entrance or residence of Jews in Russia, and while there were occasional exceptions to the laws the prohibition was generally enforced with rigor up to the incorporation of Poland with the Empire. From that date it was sought to confine the Jews to the Polish provinces. But the Jews in these provinces furnished their full contingent, and, it is alleged by them, more than their ratio, to the Russian army; and as it often happened that at the expiration of their term of service they were in distant or different parts of the Empire from their homes, upon their discharge they were permitted to live in the provinces where discharged, because they were old soldiers, and in spite of the laws prohibiting the residence there of Jews. The presence of the greater part of this race in other districts of Russia than Poland is accounted for in this way, they being either discharged soldiers or their children.

But in addition to these a considerable number of Jews are found in the large cities and commercial towns, many of whom are authorized to become permanent residents under exceptions which have been made to the prohibitory laws. For instance, Jews possessing a certain mercantile standing are admitted as members of the first or commercial guild, and, with the authorization of the law, engage in banking and mercantile pursuits. And these members of the guild are permitted to employ a certain number of Jewish clerks, servants, artisans, or other employés. So, also, exceptions are made in favor of members of the learned professions and of graduates of the universities or other educational or scientific institutions. The latitude of construction placed upon these exceptions depends very much upon the will of the local authorities, as also the strictness with which the prohibitory laws are enforced; so that in all the cities of Russia the number of Jewish residents will be found more or less in excess of the police registry and greater than the strict interpretation of the laws authorizes. For instance, persons who have given the subject close attention, as I stated to the minister of foreign affairs, estimate the number of Jewish residents in St. Petersburg at 30,000, while it is stated the number registered by the police authorities is only 1,500. From the same source I learn that, while the Government does not recognize their legal existence, nine synagogues in this city are known to the authorities, and that there are other private places of worship; and that, while only one Hebrew school is registered by the police, there are between three and four thousand children in unauthorized Jewish schools of this capital. As another indication of the extent of Israelitish influence, it is worthy of note that one or more Jewish editors or writers are said to be employed on the leading newspapers of St. Petersburg and Moscow almost without exception. It is claimed that Jews of wealth, of established professions or occupations, or of good social standing or influence, have little difficulty in securing express or tacit exemption from the laws.

These facts indicate that the laws proscribing the Jewish race are not enforced with great strictness; and intelligent Jewish residents of this city, native Russian subjects, who are laboring for the amelioration of the condition of their brethren, recognize the great advance which has been made during the present reign in the liberal construction which is placed upon the laws, in the exceptions which have been made tending to relax their rigor, and in the increased privileges which have been granted, such as admission to the universities, the practice of professions and avocations, and holding of government offices, denied to them a generation ago. At the same time the proscription laws remain, and the Government reserves to itself the right to enforce them with strictness or relax them at its will.

It is to be noted that intelligent Russian Jews repel the charge that their race in this country have manifested a spirit of lawlessness or hostility to the established Government, and they deny that a greater proportion of Jews than of other classes have been complicated in the conspiracies or attempts upon the life of the Emperor, and in confirmation of their denial they point to the fact that of the sixteen persons who were arraigned last month in the state trials of the nihilists only one was a Jew.

I am, etc.,

JOHN W. FOSTER.

No. 31.—*Mr. Evarts to Mr. Foster.*

No. 55.] DEPARTMENT OF STATE,
Washington, March 3, 1881.

SIR: Your several dispatches numbered 73, 74, and 75, of the 30th and 31st of December, ultimo, in relation to the treatment of American Jews in Russia, have been received, and I have pleasure in commending your zealous presentations of the cases of Pinkos and Wilczynski, and of the general questions involved. The assurances you have received as to the liberal treatment hereafter to be accorded, as an act of comity and courtesy by the military authorities, to American citizens visiting Russia, are fully appreciated.

I have observed, however, that in some of your conversations and writings with the foreign office, you give prominence to the natural American sympathy with oppressed Jews elsewhere as a motive for our solicitude as to the treatment of Jews in Russia.

Such solicitude might very properly exist; but in your presentation of the facts you should be careful to impress that we ask treaty treatment for our aggrieved citizens, not because they are Jews, but because they are Americans. Russia's treatment of her own Jews, or of other foreign Jews resorting thither, may, in determinate cases, attract the sympathy of the American people, but the aim of the Government of the United States is the specific one of protecting its own citizens. If the hardships to which Russian and foreign Jews are subjected involves our citizens, we think we have just ground for remonstrance and expectancy of better treatment.

This Government does not know, or inquire, the religion of the American citizens it protects. It can not take cognizance of the methods by which the Russian authorities may arrive at the conclusion or conjecture that any given American citizen professes the Israelitish faith. The discussion of the recent cases has not as yet developed any judicial procedure whereby an American citizen, otherwise unoffending against the laws, is to be convicted of Judaism, if that be an offense under Russian law; and we are indisposed to regard it as a maintainable point that a religious belief is, or can be, a military offense, to be dealt with under the arbitrary methods incident to the existence of a "state of siege."

This Government is not unmindful of the difficulties under which, as is alleged, that of Russia labors in dealing with those of her subjects whom she may deem disaffected; but the reasons adduced and methods adopted against them should have no application to American citizens sojourning peaceably, for business or pleasure, in Russia, for they are not to be charged with abstract political disaffection to a government to which they owe no allegiance; and, if charged with the commission of unlawful acts, they should have guilt explicitly imputed and proven. In the latter case, the religion of the accused can not be admitted as proof or presumption, either of guilt or innocence.

It is not the desire of this Government to embarrass that of Russia by insistance upon these points with any degree of harshness, when the disposition reported in your dispatches is so conciliatory, and when the treatment offered may operate effectively to remove or prevent future causes of complaint based on the ill treatment of American citizens alleged to be Jews. It is most desirable, however, that you should not pretermit your efforts to bring the matter to such a stage as will insure for peaceable and law-abiding Americans in Russia like treaty rights and personal freedom of creed as Russians enjoy in the United States.

I am, etc.,

WM. M. EVARTS.

No. 32.—*Mr. Foster to Mr. Blaine.*

No. 100.] LEGATION OF THE UNITED STATES,
St. Petersburg, March 25, 1881. (Received April 11.)

SIR: In acknowledging the receipt of Department No. 55, of the 3d instant, I desire to express my thanks for the kindly commendation of my presentation of the cases of Pinkos and Wilczynski, and of the general question of the treatment of Jews in Russia.

I make careful note of the desire manifested by the late honorable Secretary of State to appeal strongly to the treaty guaranty of personal freedom to American citizens sojourning peaceably, for business or pleasure, in Russia, without regard to their religious belief. I have constantly made this appeal in my conversations with and communications to the Russian authorities. But it will be noted in my No. 73, of December 30, that I called attention to the fact that the Russian Government denies that the treaty of 1832 secures to American citizens of the Jewish faith sojourning in

Russia any other or greater privileges than those enjoyed in this empire by Russian subjects of the same faith. From the concluding sentence of Department No. 55, it would seem that the late Secretary's construction of the treaty was that American citizens in Russia were entitled to the same rights and personal freedom as are extended to Russian subjects sojourning in the United States. This interpretation has never as yet been presented to the Russian Government, nor has the treaty been so considered by my predecessors. If that view is to be insisted upon, I will thank you for specific instructions regarding this point. As stated in my No. 73, the laws imposing disabilities upon Jews, both foreign and native, antedate the treaty of 1832, and the minister of foreign affairs claims that said treaty does not exempt American Jews coming here from their operation.

I have strongly insisted that the passport of his Government should protect every peaceable American citizen coming to Russia, and that it is not proper to institute an inquiry as to the religious belief of such citizen. The Department is correct in the supposition indicated, that no American citizen has been convicted of Judaism by "judicial procedure." But it is to be borne in mind that in Russia it is not necessary that a judicial procedure should take place, or even the "military state of seige" exist, before a person undergoes the sentence of the law. The laws and regulations in question are usually intrusted to the police authorities, and it is sufficient for them to be satisfied in their own minds that the individual comes within the prohibitions to have them enforced.

I shall not fail to continue to press the subject upon the Russian Government at every proper opportunity.

I am, etc.,

JOHN W. FOSTER.

No. 33.—*Mr. Foster to Mr. Blaine.*

No. 121.] LEGATION OF THE UNITED STATES,

St. Petersburg, May 24 1881. (Received June 13.)

SIR: A disgraceful series of disorders have occurred during the past month in the southwestern provinces of Russia, directed against the Jewish residents, resulting in the loss of a number of lives and the destruction of an enormous amount of property. The scenes of these riots have been at and in the vicinity of Elizabethgrad and Kief, with less serious demonstrations at Odessa and other places. The participants have been almost exclusively of the lowest and most ignorant classes in the towns and cities, joined by the peasants, and the demonstrations in the two localities first named appear to have been so powerful that for days the authorities were paralyzed, and the rioters were able to give full sway to their work of bigotry and destruction. In Kief, a city of over one hundred thousand inhabitants, with a large Jewish population, the work was so thorough, it is stated, that not a single Jewish house escaped, the inmates being driven out, beaten, and stoned, and some of them killed, and the contents plundered or thrown into the streets. The damage there is estimated at several millions of roubles, and business has been seriousiy affected thereby; many commercial houses have suspended payments, other bankruptcies are feared, and the prices of provisions and articles of prime necessity have temporarily risen greatly in price. Massacre and destruction of property have become so threatening in other localities, where no actual outbreaks have taken place, that the Jews in large numbers have fled from their homes and taken refuge across the frontier in Austria or in Moscow, where the military force is sufficient to guaranty safety. In some instances the railroad officials have refused to run the trains by which the Jews were seeking to escape, for fear of attack from the infuriated mobs debauched with liquor and plunder.

Indiscriminate pillage became so much feared that Christians chalked their houses with crosses or exhibited holy images with lighted lamps before them to save themselves from the fury of the rabble. The acts which have been committed are more worthy of the Dark Ages than of the present century.

The authorities were slow to realize the extent of the danger, but when once awakened to its wide-spread and deeply-seated character they have manifested a commendable zeal in suppressing the riots and in arresting and punishing the offenders. National troops have been freely used, sending them to the most threatened districts, and in some places, as at Odessa, they have promptly intervened with force to put down the riots.

Various causes have been assigned for these outbreaks additional to the prevailing bigotry and religious hatred of the lower classes towards the Jews. The country has not been prosperous for some time past; taxes have been heavy and exacted with severity; the depreciated paper currency has increased the cost of all commodities;

the winter has been one of privation and suffering, and with many families indebtedness has been the rule annually. The Jews, being the money-changers, traders, and speculators, have profited by this state of affairs, and the poorer classes have felt that undue advantage has been taken of their misfortunes. Following the long fast so faithfully observed in the Russian national church, which was broken by Holy Week and its usual excesses in drinking, it has been easy to work upon the passions and prejudices of the hungry and ignorant. It is asserted also that the Nihilist societies have profited by the situation to incite and encourage the peasants and lower classes of the towns and cities in order to increase the embarrassments of the Government, but the charge is probably conjectural and not based on very tangible facts. Certain it is, however, that the disorders have developed a state of discontent and lawlessness in the country that is by no means agreeable to the Government. It is believed that the Emperor has no sympathy with the spirit manifested against the Jews, and, in addition to the active use of the Imperial army to put down the riots, he has given orders to have an investigation made of the causes which have occasioned the disturbances. I have in previous dispatches referred to the proscriptive laws and disabilities imposed upon the Jews in Russia. If these events lead to a serious consideration of the wisdom of abolishing all the Jewish disabilities and of placing Russian legislation on this subject alongside of that of the other enlightened nations, the loss of life and property will not have been in vain.

It may not be without interest to mention that these disturbances and the Russian laws affecting foreign Jews have twice during the past week been the subject of discussion in the British Parliament. As reference was made in that discussion to the action of our Government and this legation regarding the Russian laws prohibiting foreign Jews to reside in St. Petersburg, I send you herewith that portion of the Parliamentary report. It will be noticed that two questions were presented in the House of Commons: first, as to the propriety of the British Government making representations to that of Russia with regard to the atrocities committed upon the Jewish population in Southern Russia; and, second, as to the action of the British Government on account of the expulsion from St. Petersburg of a highly respected London merchant, having a British passport, on the ground that he was a Jew. To the first question the under secretary of foreign affairs indicated that his Government was reluctant to make any representations in regard to the persecutions, and to the second that a protest had been made against the expulsion of the British subject, but without avail.

This discussion in Parliament has occasioned an editorial in the St. Petersburg Journal, the semi-official organ of the Russian foreign office, of which I send you a translation. This article asserts that the disturbances being of a purely domestic character, the British Cabinet would have no more right to address the Russian Government representations thereon than the latter would have to address Lord Granville on account of the agrarian crimes in Ireland. In reference to the expulsion, it maintains that if made according to Russian law a protest was not proper; and, on the other hand, if the expulsion was in violation of that law a protest was unnecessary, because the above would have been corrected.

In this connection I have to report that no new case has arisen of the enforcement against American citizens of the law in question.

I am, etc.,

JOHN W. FOSTER.

[Inclosure No. 121.—Translation of editorial from the St. Petersburg Journal, May 21, 1881.]

The debates in the English chambers are always of great importance, even when they refer to subjects where the competency of these assemblies to treat them is absolutely null. In such cases they show certain currents of opinion, often artificial, often wide of the mark, but of which it is always well to take notice. Last Monday, as the telegraph informs us, Mr. Dilke, replying to Mr. Worms, declared that England had made no representations on the subject of the excesses against the Israelites and against the students [?] in the south of Russia, because the Government of St. Petersburg had itself taken measures to repress these disturbances.

This is right, although the subsecretary of state might have added that there was absolutely no reason, no pretext even, for the English Government to address observations to a foreign Government on disturbances which were purely domestic. How did it happen, then, that when interpellated a second time, Mr. Dilke made a reply less correct, saying that the Government had as yet taken no definite resolution. We have no difficulty in believing that no definite resolution has been taken, for the question is in no respect of a character to be examined by the English Cabinet, and the kind of assimilation with Persia in which the speaker permitted himself to indulge lacks both justice and good taste. What Mr. Dilke should have replied is, that the

British Cabinet has no right, on account of the troubles at Kief, etc., to address representations to the Russian Government which the latter would not have a right to address to Lord Granville on account of the agrarian crimes in Ireland.

As regards the case of Mr. Lewisohn, we do not know the particulars. But as Mr. Dilke read the laws governing the residence of Jews, it is to be supposed that, in the opinion of the speaker, this expulsion has taken place in violation of the laws in question, for otherwise we can not understand how the British Government has thought itself authorized to protest against the application of laws in force in Russia to strangers coming here to reside. Now, if the said Mr. Lewisohn has really been expelled in violation of the Russian laws, he may be sure that the protest of Mr. Dilke will not be unproductive. It was even useless; a simple denunciation of an abuse of local authority which may have been committed would have been sufficient. We repeat, we are not acquainted with the details.

No. 34.—*Mr. Foster to Mr. Blaine.*

No. 135.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 14, 1881. (Received July 30.)

SIR: After considerable delay I am at last enabled to send you herewith an abstract or sketch of the laws of Russia relative to foreign Jews. As I have heretofore noted, the laws on this subject are contained in a voluminous mass of legislation, regulations, decisions of ministries, etc., many of which conflict with each other, and it has been found very difficult to know with accuracy what is the existing law applicable to a particular case. The accompanying abstract is believed to be as full as I can make it without the employment of an unexperienced native attorney and having in view some special case or question.

As introductory to a notice of the inclosed abstract, it is proper to state that from early times Jews were prohibited from coming to or settling in Russia; but by means of the conquest of Poland, the Crimea, and certain other districts a large number of Jews became incorporated as subjects of the Empire, and it was thus made necessary to so modify the ancient general prohibition as to allow Israelites who had become Russian subjects by annexation of territory to reside in the western and southwestern provinces named in the inclosed abstract; and up to the present no other part of the Empire has been open to Jewish Russian subjects for unrestricted habitation; so that as a rule even Russian Jews are confined to the provinces cited; and the ancient law prohibiting the entrance into Russia of foreign Israelites is still in force, with the very limited exceptions cited in the accompanying sketch. These exceptions may be briefly stated as follows:

I. Certain foreign Jews may come into the governments or provinces of west and southwest Russia named, to wit:

First, rabbies invited by the Russian Government to exercise their profession:

Second, manufacturers with a capital of 15,000 roubles, by special arrangement; and

Third, artisans brought by said manufacturers, upon certain specified conditions.

II. All other parts of Russia are closed to foreign Israelites, with the limited exception of, first, the agents of large commercial houses abroad, who are permitted to visit, for a limited period, the great commercial and manufacturing centers of Russia, upon their petition to that effect presented to the department of the interior being granted; and, second, well-known bankers, and chiefs of large commercial houses or enterprises, coming to Russia to purchase and export native products, may be admitted as merchants of the first guild, as the result of a special joint understanding with the ministers of the interior, of finance, and of foreign affairs; but even after being admitted as members of the merchants' guild they have only specified and restricted privileges.

It will thus be seen that Jewish citizens of the United States are virtually excluded from Russia, as few if any of them would be willing to comply with the requirements necessary for their admission under Russian laws.. This code of Jewish regulations, of which some idea may be formed from the inclosed sketch, will appear somewhat curious and antiquated in our country of unrestricted commercial intercourse, and especially the limitations, not only of a business but even of a domestic character, which are thrown around the Jewish bankers and merchants (to use the language of the law) "known for their high social position and large operations and commercial enterprises."

I also transmit herewith a memorandum, showing the provisions bearing upon the question, of the treaties of commerce existing between Russia and Great Britain, Austria, and France. The other European nations have treaties similar to that of Great Britain, with the exception of Germany, which, singularly enough, has no

treaty of commerce with Russia. A comparison with the treaty of commerce which the United States has with Russia will show that the only material variance is in the last paragraph of article 1 of the British treaty (and a similar provision is found in the treaties of most of the European nations with Russia), wherein it is more explicitly provided than in the treaty with the United States that the privileges therein granted "in no wise affect the laws, decrees, and special regulations regarding commerce, industry, and police in vigor in each of the two countries." The Austrian treaty is still more precise, in adding to the foregoing reservation a recognition "that the restrictions established in the states of one of the high contracting parties shall be equally applicable to the subjects of the other *belonging to the same confession.*" It may therefore be concluded that our treaty is fully as favorable to our citizens as that of any other nation with Russia.

As the case of the British subject Lewisohn, now pending and the occasion of some inquiry in Parliament, has been heretofore referred to, I inclose a statement of facts relating thereto which is doubtless substantially correct. It may be noted that while Lewisohn was refused permission to revisit St. Petersburg, the American citizen, Mr. Wilczynski, who was expelled about the same time, was, upon application of this legation, given permission to return.

I am, etc.,

JOHN W. FOSTER.

[Inclosure 1 in No. 155.]

SKETCH OF THE LAWS OF RUSSIA RELATIVE TO FOREIGN ISRAELITES.

Isrealites in general are in Russia subject to a special legislation.

There is found in the Code of Laws a series of provisions, in their proper place, spread over many different chapters and divers published regulations on commerce, industry, and the trades, devoting to them special clauses.

Foreign Israelites do not escape this legislation, which defines the laws applied to them relative to their admission into the territory of the Empire and to their sojourn in Russia.

The localities the limits of which are accorded to Israelites, subjects of the Empire, in order to sojourn in a permanent manner, are as follows:

The governments (or provinces) of Bessarabia, Vilna, Vitebsk, Volhynia, Grodno, Ekaterinoslaf, Taurida, Kershow, Tchernigov, Kowno, Minsk, Mohilef, Poltava, Podolia, and Kief, with the exception of the city of Kief; but upon the observance of the following rules:

1. In the governments of Vitebsk and Mohilef the Israelites have the right to reside in the inhabited localities, in virtue of proper tickets of sojourn which are given to them for this purpose, without, nevertheless, having the right to definitely establish themselves there in the quality of fixed inhabitants. With respect to the city of Nicolaief, they have a right to choose a domicile there and to acquire real estate, in conformity to the special provisions of the regulations on commerce.

2. Regarding the western governments adjoining the frontier and Bessarabia, the Israelites are not authorized to establish themselves there within a distance of 50 versts from the frontier of the state. Along the western frontier of the state, the Israelites guilty of contraband are, in addition to the other penalties, condemned to vacate the above-cited limits. (See articles 16 and 23 of the regulations on passports, sequel to the Code of Laws, ed. of 1876.)

A general statute law that foreign Israelites are not authorized to immigrate to Russia nor to receive Russian naturalization. (See article 992 of the regulations on social conditions, Code of Laws, vol. ix, ed. of 1876.)

Nevertheless, articles 530 of the regulations on passports (Code of Laws, ed. of 1857), in admitting certain exceptions to the preceding law, particularizes who are those among foreign Israelites who are authorized to establish themselves within the limits of the localities where the right of domicile is accorded to all Jews in general:

1. Those whom the Imperial Government invites to come to Russia to exercise the functions of rabbins.

2. Those who come to Russia with the object of creating manufactories and workshops (with the exception of distillers), and who can show a capital for this purpose of at least 15,000 rubles. The individuals, at their entry into Russia, must engage in writing to create said establishments within a period of three years. In case where they shall be found not to have complied with the terms of their engagement they shall be expelled from the Empire. On the contrary in case they shall have fulfilled it, they shall have the right to become Russian subjects and shall select a legal status.

3. Artisans called to Russia by the Israelite manufacturers to engage in manufact-

uring labor in their factories. These artisans shall not be permitted to enter Russia except upon presentation (*a*) of a passport in order, (*b*) of a certificate from the imperial legation or consulate of Russia certifying to their condition, the character of their former occupations, the trade which they follow, and showing that they have really been called to Russia, by whom, and with what object. After a sojourn of five years in the factories, and upon presentation of a certificate from their employers and the local authorities attesting their skill and their irreproachable conduct, they shall be permitted to establish themselves permanently in the localities of domicile acquired for Israelites, and to become Russian subjects.

Foreign Israelites arriving in the localities where the fixed sojourn is authorized for all Israelites in general shall be put in possession of passports, in which it shall be stated that they are only of value within the limits of the localities above mentioned. (See article 8 and annexes to article 486, remark 2, of the regulations on passports, sequel to Code of Laws, ed. of 1876.)

The local authorities are required to watch rigorously that foreign Israelites do not reside under the name of Christians in the localities where their sojourn is prohibited. The individuals discovered to be in this situation will be immediately expelled from Russia. (See article 531 of the regulations on passports, etc.)

Foreign Israelites, and especially those who are agents of large commercial houses abroad, are permitted to visit the great commercial and manufacturing centers of Russia, and to reside there a period of time, the fixing of which is submitted to the judgment of the proper authority.

It pertains to the department of the interior to definitely decide on the petitions presented for this object by the said Israelites. Nevertheless, the imperial legations and consulates may, without previous authorization of the department of the interior, deliver to bankers and chiefs of important commercial houses abroad passports to enter Russia, and visé these passports, reserving notification to the department of the interior of the delivery or visé of passport to each one of the said individuals. (See article 2 of the annexes to articles 486 of the regulations on passports, etc.)

Israelites, foreign subjects, known for their social position and large operations or commercial enterprises, are permitted, as the result of a special understanding in each case between the ministers of finance, of the interior, and of foreign affairs, to establish a business within the limits of the Empire and to open banking offices, by providing themselves, nevertheless, with certificates of merchants of the first guild. They are likewise authorized to establish manufactories, acquire and lease real estate freely, upon the basis of the provisions decreed by the regulations on social conditions.

Foreign Israelites whose high social position and commercial operations are of public notoriety, and who come to Russia with the object of purchasing products of the Empire and exporting them abroad, can also, as the result of a special understanding in each case between the ministers of finance, of the interior, and of foreign affairs, obtain certificates of merchants of the first guild. (See part 5 of the remark to the third annex to article 128 of the regulations on commerce, ed. of 1876), with a complement; decision of the committee of ministers, December 26, 1877.)

Israelites who may acquire by inheritance real estate situate beyond the localities where their sojourn is authorized are required to sell it within a period of six months. This law also applies to foreign Israelites who may acquire real estate in Russia by right of inheritance. (See article 960 of the regulations on social conditions, Code of Laws, ed. of 1876.)

The following provisions having been decreed for the Israelite subjects of the Empire shall be applicable to foreign Israelite subjects in so far only as the latter are found to have satisfied the requirements of the above-cited laws:

Merchants of the first guild inscribed upon the general basis in the first guild of the cities may go there with the members of their families whose names are found upon the guild certificates.

Israelite merchants who, in virtue of the proceeding provisions, remove to the cities of the Empire situated beyond the limits of the localities of their authorized domicile, are permitted to bring with them clerks and servants, likewise Israelites, in a limited number, and by observing the following rules:

1. Israelite merchants who remove to one of the two capitals, St. Petersburg or Moscow, are required to state, in a special petition presented by them to the governors-general or the prefect of the place, the number of clerks or servants which they judge indispensable to bring with them to said capitals, and upon what considerations this number is based. The granting of these petitions is left to the judgment of the governors-generals and prefects above cited.

2. Israelite merchants who are inscribed in the guilds of other cities are authorized to bring with them, at the most, one clerk or one office boy and four servants, of the two sexes, of their race, per family of Israelite merchant. (See annex 3 to article 128 of the regulations on commerce, sequel to the Code of Laws, ed. of 1876.)

Israelite merchants of the first guild, besides the general rights of commerce which belong to them within the limits of the localities of their authorized sojourn, enjoy the following special rights:

1. They have the right to bring, in bulk, from the capitals and ports, in order to effect sales within the limits of the authorized district, all kinds of merchandise through the medium of commercial offices and local merchants or by correspondence.

2. They are permitted to visit twice a year the capitals, and other cities, for the purpose of making sales there of merchandise, on condition that the period of their sojourn does not exceed six months per year. In case there shall be an impediment or impossibility, on account of sickness or other cause, to their going in person for the above-mentioned object to the interior of the Empire, they will be authorized to send in their stead clerks provided with the proper authorization, always computing the period cited. An Israelite clerk who has already visited the provinces twice in one year by virtue of an authorization of a merchant can not go there a third time in the course of the same year. It shall be the same if, having gone to said provinces once for one merchant, he held the authorization of another merchant. He shall in this case not be authorized to make more than a single journey in the course of this same year.

3. Israelite merchants of the first guild are authorized to undertake enterprises in the governments of the interior, but on condition that they do not employ in any case Israelites as agents or superintendents.

4. Israelite merchants of the first guild are permitted to carry on in the capitals and the ports wholesale trade in the products of authorized governments by means of Christian clerks or of merchants of the place, or by direct correspondence with the manufacturers; but they are forbidden to make sale in person of said products in the capitals or ports of the Empire or to open shops, under penalty of immediate expulsion and the confiscation of the merchandise.

5. They shall not be authorized, neither personally nor even by means of Christian agents, to sell merchandise which they may have imported from abroad outside of the limits of the governments of their authorized fixed sojourn. (See article 130 of the regulations on commerce, sequel to the Code of Laws, ed. of 1876.)

[Inclosure 2 in No. 135.]

MEMORANDUM OF TREATIES OF COMMERCE WITH RUSSIA.

Treaty between Great Britain and Russia, 1858.

[Extracts.]

ARTICLE I. There shall be between all the dominions and possessions of the two high contracting parties reciprocal freedom of commerce and navigation. The subjects of each of the two contracting parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, enjoy the same rights, privileges, liberties, favors, immunities, and exemptions in matter of commerce and navigation which are or may be enjoyed by native subjects generally.

It is understood, however, that the preceding stipulations in nowise affect the laws, decrees, and special regulations regarding commerce, industry, and police in vigor in each of the two countries, and generally applicable to all foreigners.

ART. XI. The subjects of each of the two high contracting parties, by observing the laws of the country, shall have:

1. Full liberty, with their families, to enter, travel, or sojourn in all parts of the states and possessions of the other contracting party;

2. They shall have the power in the towns and ports to rent and own the houses, warehouses, shops, and lands which they shall need;

3. They shall carry on their business either in person or by means of agents of their own choice; finally,

4. They shall not be subject for their persons and property, nor for their passports, permits of sojourn, or establishments, nor on account of their business or industry, to taxes, whether general or local, nor to imposts or obligations of whatsoever nature, other or more onerous than those which are or may be fixed for natives.

The treaty of commerce between France and Russia, 1874, is almost identical in language with the foregoing articles of the English treaty.

The treaty of commerce between Austria-Hungary and Russia, 1860, contains similar provisions, using in most instances the same language.

Article XIII of the Austrian treaty contains the exact text of Article XI, above quoted, of the British treaty, and there is added the following paragraph:

"It is understood that the restrictions established in the states of one of the high contracting parties shall be equally applicable to the subjects of the other belonging to the same confession."

No treaty of commerce exists between the German Empire and Russia.

[Inclosure 3 in No. 135.—From the London Times, May 23, 1881.]

THE CASE OF MR. LEWISOHN.

Mr. Leon Lewisohn, a native of Hamburg, but a naturalized Englishman, carries on business as a merchant in London. In August, 1880, having occasion to visit Russia for the purposes of his trade, he provided himself with a passport signed by Lord Granville and fortified with the visa of the Russian consul in London. He proceeded to the fair at Nijni-Novgorod, and after a stay of three weeks went on to St. Petersburg, where he took up his residence at one of the principal hotels. On sending his passport to the proper department (*bureau des étrangers*) for examination, he was required to appear personally there, for the reason, as he states, that his name appeared to indicate a Hebrew origin. He duly attended, and was taken before the chief of the department, who merely asked him, "Are you a Jew?" On receiving a reply in the affirmative, the Russian functionary informed Mr. Lewisohn that he could not be permitted to remain in St. Petersburg, but must leave for the frontier within twenty-four hours. An order was indorsed on his passport to the effect that "The bearer of this passport, the British subject Leon Lewisohn, a Jew, is forbidden to stay in St. Petersburg," and instructions in conformity with the order were given to the police. Mr. Lewisohn applied for assistance to the English embassy, but appears to have seen no one in authority. He did not obtain the help he sought, and he left the Russian capital next day (September 23). Mr. Lewisohn states that he suffered pecuniary loss from the expulsion.

On returning to London, Mr. Lewisohn made a statement of his case to the foreign office. Lord Granville immediately communicated with our ambassador at St. Petersburg, and Sir Julian Pauncefote was instructed to inform Mr. Lewisohn that the notice which he had received to quit Russia appeared to have been in accordance with Russian law. Mr. Lewisohn having further told Lord Granville that his business requirements would in a short time render it again desirable for him to visit Russia, and having asked whether protection would be afforded him for that purpose by Her Majesty's Government, Lord Granville requested Lord Dufferin, by telegraph, to ascertain whether there would be any objection to Mr. Lewisohn's returning to Russia. A delay of three weeks supervened, and Lord Granville telegraphed again, and learned in reply that Lord Dufferin had not yet received answer from the Russian Government to several inquiries he had made on the subject. Ultimately, after a correspondence extending over four or five months, Mr. Lewisohn received (on April 2. 1881) a letter from the foreign office which informed him of the definite refusal of the Russian Government to permit him to return to St. Petersburg.

No. 35.—*Mr. Foster to Mr. Blaine.*

[Extract.]

No. 136.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 14, 1881. (Received July 30.)

SIR: I have the honor to acknowledge the receipt of your confidential No. 80, and have read with much interest your admirable note to Mr. Bartholomei which you sent as an inclosure.

* * * * * * *

You express a desire that I should transmit without delay the text of the law governing the residence or sojourn of Jews in Russia, to which Sir Charles Dilke alluded in Parliament. I regret to say that I am unable at present to do so, but I hope the abstract sent with my No. 135 will be sufficient for your purpose.

As heretofore stated, the laws are numerous and conflicting, and I do not know the precise one referred to by him; besides, they are in the Russian language only, and uncodified, and it would require the assistance of a learned native lawyer, with fuller information as to Sir Charles's remarks, to do more than send what is contained in my No. 135. I will write to Mr. Lowell, who may be able to get more light upon the subject. I will not, of course, ask him to do anything if he sees the slightest embarrassment, but as the action of our Government and of this legation have been freely referred to in Parliament, he may be able, without appearing to be intrusive, to get further information, which I will ask him to communicate to you direct.

I hope the memorandum on the British, Austrian, and other treaties with Russia, which I also transmit, will be of some service to you. The examination which I have made satisfies me that the text of our treaty of 1832 is more favorable to us than that of any other of the nations mentioned. It is possible that the last three lines of Ar-

ticle I may yield the point under discussion, but they certainly do not do so as fully and explicitly as either the British, French, or Austrian (especially the latter), or the treaties of the other European governments. I think you have been misinformed if you have the impression (as I infer you have from your note to Mr. Bartholomei) that either other nations have more favorable treaty stipulations on this subject with Russia than the United States, or that the Jews of other nationalities receive better treatment than those who are American citizens. On the contrary, so far as my observation goes, more consideration has been shown to American Jews than is usual with those of other nationalities. I think that upon further examination of the subject you will be confirmed in the views suggested by the resolution of Congress, and approved by the President and yourself, that the defect may be in the treaty, and that we will have to look for a remedy in that direction.

* * * * * * *

The present time is not a favorable season, however, for any action, as both the embassies and court are in vacation; and, besides, you may prefer to further consider the subject before any other steps are taken.

There is a kindred matter which I design to make the topic of a dispatch, to wit, the rights of naturalized American citizens of Russian nativity who may revisit this country. The question has presented itself recently in two or three phases, and in the absence of a treaty of naturalization it is not easy to make a satisfactory settlement.

I am, etc.,

JOHN W. FOSTER.

No. 36.—*Mr. Blaine to Mr. Foster.*

[Extract.]

No. 87.] DEPARTMENT OF STATE,
Washington, July 29, 1881.

SIR: * * * From a careful examination of the cases of grievance heretofore reported by your legation, it appears that the action of the Russian authorities toward American citizens, alleged to be Israelites, and visiting Russia, has been of two kinds.

First. Absolute prohibition of residence in St. Petersburg and in other cities of the Empire, on the ground that the Russian law permits no native Jews to reside there, and that the treaty between Russia and the United States gives to our citizens in Russian jurisdiction no other rights or privileges than those accorded to native Russians. The case of Henry Pinkos may be taken as a type of this class.

Second. Permission of residence and commerce, conditionally on belonging to the first guild of Russian merchants and taking out a license. The case of Rosenstrauss is in point.

The apparent contradiction between these two classes of actions becomes more and more evident as the question is traced backward. The Department has rarely had presented to it any subject of inquiry in which a connected understanding of the facts has proved more difficult. For every allegation, on the one hand, that native laws in force at the time the treaty of 1832 was signed, prohibited or limited the sojourn of foreign Jews in the cities of Russia, I find, on the other hand, specific invitation to alien Hebrews of good repute to domicile themselves in Russia, to pursue their business calling under appropriate license, to establish factories there, and to purchase or lease real estate. Moreover, going back beyond 1832, the date of our treaty, I observe that the imperial ukases concerning the admission of foreigners into Russia are silent on all questions of faith; proper passports, duly visaed being the essential requisite. And, further back still, in the time of the Empress Catherine, I discover explicit tolerance of all foreign religions laid down as a fundamental policy of the Empire.

Before examining the issues directly before us, it may not be out of place to give a brief review of these historical data.

The ukase of the Empress Catherine, of 22d February, 1784, although concerning only the establishment of commercial relations with the new possessions of Russia on the Black Sea, contains the following notable declaration:

"That Sebastopol, Kharson, and Theodocia be opened to all the nations friendly to our Empire for the advantage of their commerce with our faithful subjects, * * * that the said nations may come to these cities in all safety and freedom. * * * Each individual of such nation, whoever he may be, as long as he shall remain in the said cities by reason of his business, or of his own pleasure, shall enjoy the free exercise of his religion according to the praiseworthy precepts handed down to us by the

sovereigns our predecessors, and which we have again received and confirmed, 'that all the various nationalities established in Russia shall praise God, the All Powerful, each one after the worship and religion of his ancestors,' * * * and we promise, upon our imperial word, to accord to all foreigners in these three cities the same advantages which they already enjoy in our capital and seaport, St. Petersburg, etc."

The full text of this ukase, which breathes a spirit of large and enlightened tolerance in advance of the policy of those days, is well worthy of perusal, and may be consulted in volume 4 of Martens "Recueil des Traités," 1st edition, Gotttingen, 1795, pages 455–457.

The imperial ordinance of the Czar Alexander 1, of 13th August, 1807, decrees a rigid system of passports for foreigners entering Russia, and is applicable to "all foreigners, of whatsoever nationality," but intimates no restriction on travel or sojourn in Russia by reason of race or faith. This ordinance was modified and amplified by the ukase of 25th February, 1817, but still without any manner of religious proscription or restriction.

From this time down to 1860 I can find no trace of the enforcement, especially against American citizens, of the restrictions against Jewish travel and residence which are stated to have existed when our treaty with Russia was signed. It is a significant circumstance that the acknowledged authorities on private international law, writing during this period upon the legislation of all Europe as affecting the persons and rights of aliens, make no reference to such disabilities. Even the painstaking Falix is silent on this point, although devoting much space to the treatment and rights of aliens in Russia. I do not desire to be here understood as arguing that the asserted disabilities did not exist at that time. The domestic history of the Russian Empire shows plainly the restrictions placed upon native Hebrews, and especially those of Polish origin, the efforts to confine them to certain parts of the Empire, and the penalties sought to be imposed to deter them from mingling with the Christian subjects of the Czar. But the same history shows the gradual relaxation of those measures, until, in the capital itself, the native Israelite population is said to number some thirty thousand souls, with their synagogues and sectarian schools; while a special ukase of the late Czar distinctly recognizes to foreign Hebrews every privilege of residence and trade, in a certain guild, which native Christian subjects possess.

This ukase of the Emperor Alexander II, of 7th of June, 1860, after premising that the need of commercial development and the principles of international reciprocity make it proper to concede "to foreigners dwelling in Russia the same rights as those which our subjects enjoy already in the principal countries of Europe," proceeds to permit all aliens to enter any of the trading guilds on the same footing as natives, and to thereupon enjoy all the commercial privileges which these guilds confer upon native Russian traders, with the following qualification:

"FIRST REMARK.—Foreign Hebrew subjects, known by reason of their social position and the wide extent of their commercial operations, who come from foreign lands, may, after the established formalities, that is to say, upon a special authorization, issued in each case by the ministers of finances, of the interior, and of foreign affairs, trade in the Empire and establish banking houses therein, upon procuring the license of a merchant of the first guild. It is likewise permitted to these same Israelites to establish factories, to acquire and to lease real estate conformably to the prescriptions of the present ukase."

This provision, it will be observed, extends to the whole territory of the Empire. If, as I understand the response of the Russian ministry in the case of Henry Pinkos, native Israelites are forbidden by law from residing or trading in the capital, then this ukase places all foreign Jews (whether belonging to treaty powers or not) on a more favored footing. But if native Hebrews, as a fact, are permitted to reside in St. Petersburg and engage in trade in other guilds than the so-called "first guild," there may then well be question whether such restriction to a particular guild in the case of an American Israelite is consonant with the express provisions of the treaty of 1832, Article I. This point was, in fact, raised in the case of Theodore Rosenstrauss at Kharkoff, which is narrated at length, with all the correspondence therein exchanged, in Mr. Jewell's dispatch No. 20, of December 15, 1873; but it does not seem to have been then exhaustively considered whether the complainant received, under the treaty, the like treatment with the native Hebrews of Kharkoff, or whether he was constrained to obey the ukase of 1860, which, as I have above remarked, is framed for general application to all aliens and irrespective of treaty rights. It is, however, not my present purpose to reargue this old case, but simply to call attention to the fact that Russian law may, and possibly does, modify and restrict treaty rights. The Rosenstrauss case was special in its nature, and concerned commercial privileges, under a promulgated license law of the Empire. It may be necessary, at some future time, to discuss the questions it involves, but just now I am concerned with a different class of cases, namely, those of American citizens visiting Russia for private business or for pleasure and travel, and duly provided with the passports of this Government authenticating their national character and their consequent right to all the specific guaranties of our treaty.

This brings me again to the cases of Pinkos and Wilczynski. It is unnecessary here to recapitulate the facts therein, as they are amply presented by the files of your legation, and by the correspondence had with the Russian foreign office. It is sufficient to characterize them as instances of the notified expulsion from St. Petersburg, by the police or military authorities, of American citizens, not because of any alleged failure to comply with the ukase of 1860, or with the Russian commercial code, but simply on the allegation, unsupported by proof, that they professed the Israelitish faith, and that the law forbade the sojourn of native Israelites in the imperial capital. On this brief formulation of the case, this Government believes that, under its treaty with Russia, and in view of its treatment of Russian subjects resorting under like circumstances to the United States, it has just ground for complaint, and expectancy of better treatment from the Government of Russia.

The provision of our treaty of 1832 with Russia, governing the commercial privileges of the citizens and subjects of the two countries, is as follows:

"ARTICLE I. There shall be between the territories of the high contracting parties a *reciprocal liberty* of commerce and navigation.

"The inhabitants of their respective states shall *mutually* have liberty to enter the ports, places, and rivers of each party *wherever foreign commerce is permitted.* They shall be at liberty to sojourn and reside *in all parts whatsoever* of said territories, in order to attend to their affairs; and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce."

Article X confers specific personal rights reciprocally. In respect of this article an infringement alike of the letter and the spirit of the treaty is not only possible, but probable, under the rigid interpretation of the Jewish laws upon which Russia seems disposed to insist. Its stipulations concern the right to dispose of personal property in Russia owned by or falling to American citizens, who may receive and dispose of inheritances and have recourse to the courts in settlement of questions arising thereunder. It certainly could not be seriously claimed or justly admitted that an American Hebrew, coming within the provisions of this article, is to be treated as a candidate for commercial privileges, and required to take out a license as a trader of the first guild, subject to the approval of his application by the ministries of finance, interior, and foreign affairs. A personal right, not a mercantile privilege, is conferred. To bar an American citizen whose rights might be so concerned from personal appearance in protection of those rights would be a distinct departure from the engagement of the treaty; while to suppose that his case might come under the discretional authority of the police or the military power, which might refuse his personal sojourn in any part of the Empire, or allow it under conditions depending on their good will, is to suppose a submission of the guaranties of the treaty to a tribunal never contemplated by its framers.

Upon a case arising, this Government would hold that the treaty conferred specific rights on all American citizens in the matter of the disposition of their personal property, irrespective of any conditions save those which the article itself expressly creates; that their actual presence when necessary to protect or assert their interests is absolutely guarantied whenever and for whatever time it may be needful; and that this international engagement supersedes any municipal rule or regulation which might interfere with the free action of such individuals.

It would be, in the judgment of this Government, absolutely inadmissible that a domestic law restraining native Hebrews from residence in certain parts of the Empire might operate to hinder an American citizen, whether alleged or known to profess the Hebrew faith, from disposing of his property or taking possession thereof for himself (subject only to the laws of alien inheritance) or being heard in person by the courts which, under Russian law, may be called upon to decide matters to which he is necessarily a party. The case would clearly be one in which the obligation of a treaty is supreme, and where the local law must yield. These questions of the conflict of local law and international treaty stipulations are among the most common which have engaged the attention of publicists, and it is their concurrent judgment that where a treaty creates a privilege for aliens in express terms, it can not be limited by the operation of domestic law without a serious breach of good faith which governs the intercourse of nations. So long as such a conventional engagement in favor of the citizens of another state exists, the law governing natives in like cases is manifestly inapplicable.

I need hardly enlarge on the point that the Government of the United States concludes its treaties with foreign states for the equal protection of all classes of American citizens. It can make absolutely no discrimination between them, whatever be their origin or creed. So that they abide by the laws, at home or abroad, it must give them due protection and expect like protection for them. Any unfriendly or discriminatory act against them on the part of a foreign power with which we are at peace would call for our earnest remonstrance, whether a treaty existed or not. The

friendliness of our relations with foreign nations is emphasized by the treaties we have concluded with them. We have been moved to enter into such international compacts by considerations of mutual benefit and reciprocity, by the same considerations, in short, which have animated the Russian Government from the time of the noble and tolerant declarations of the Empress Catherine in 1784 to those of the ukase of 1860. We have looked to the spirit rather than to the letter of those engagements, and believed that they should be interpreted in the broadest way; and it is, therefore, a source of unfeigned regret to us when a Government, to which we are allied by so many historical ties as to that of Russia, shows a disposition in its dealings with us to take advantage of technicalities, to appeal to the rigid letter and not the reciprocal motive of its international engagements in justification of the expulsion from its territories of peaceable American citizens resorting thither under the good faith of treaties and accused of no wrong-doing or of no violation of the commercial code of the land, but of simple adherence to the faith of their fathers.

That the two American citizens whose unfortunate cases have brought about this discussion were not definitely expelled from St. Petersburg, but were allotted, by the military authorities, a brief time to arrange their private affairs, said to coincide with the usual time during which any foreigner may remain in the empire under his original passport, does not alter the matter as it appears to our eyes. The motive alleged remains the same, and the principle involved is one recognized neither by our fundamental laws nor by any of the conventions we have concluded with foreign states.

It must not be forgotten that this issue, of the banishment of our citizens from a friendly territory by reason of their alleged religion, is a new one in our international relations. From the time when the treaty of 1832 was signed down to within a very recent period, there had been nothing in our relations with Russia to lead to the supposition that our flag did not carry with it equal protection to every American within the dominions of the empire. Even in questions of citizenship affecting the interests of naturalized citizens of Russian origin, the good disposition of the imperial government has been on several occasions shown in the most exemplary manner; and I am sure the actual counselors of His Majesty can not but contemplate with satisfaction the near approach made in 1874 to the arrangement of negotiations for a treaty of naturalization between the two countries. On that occasion, as will be seen by consulting Mr. Jewell's No. 62, of April 22, 1874, the only remaining obstacle lay in the statutes of the empire touching the conferment and loss of citizenship, of which the examining commission and the consultative council of state recommended the modification in a sense compatible with the modern usage of nations.

I can readily conceive that statutes bristling with difficulties remain unrepealed in the volumes of the law of Russia as well as of other nations. Even we ourselves have our obsolete "Blue Laws"; and their literal enforcement, if such a thing were possible, might to-day subject a Russian of free-thinking proclivities, in Maryland or Delaware, to the penalty of having his tongue bored through with a red-hot iron for blasphemy. Happily the spirit of progress is of higher authority than the letter of outworn laws; and statutory enactments are not so inelastic but that they relax and change with the general advancement of peoples in the path of tolerance.

The simple fact that thousands of Israelites to-day pursue their callings unmolested in St. Petersburg, under the shadow of ancient proscriptive laws, is in itself an eloquent testimony to the principle of progress. And so, too, in Spain, where the persecution and expulsion of the Jews is one of the most notable and deplorable facts in history, and where the edicts of the earlier sovereigns remain unrepealed, we see to-day an offer of protection and assured right of domicile made to the Israelites of every race.

I leave out of consideration in the present instruction the question whether the citizens or subjects of other nations are more or less favored than our own in this regard. I have not, however, failed to notice the statement made to you by Mr. de Giers, in one of your reported conversations with him, that German and Austrian Jews are subjected to the proscriptions in question, and the implication therefrom that if the governments of Germany and Austria do not complain, there is no reason why we should.

It is not for me to examine or conjecture the reciprocal motives of policy or of international convention which may govern in these instances. Neither have I failed to remark the seeming uncertainty with which the British Government has approached the case of the English Israelite, Mr. Lewisohn, who was recently required to quit St. Petersburg, notwithstanding that the personal guaranties of the Anglo-Russian treaty of January 12, 1859, in its eleventh, twelfth, and thirteenth articles, are more particular than in our own treaty, and were, presumably, like our own stipulations, framed with the intent of securing impartial rights and protection in Russia. I am perfectly willing to rest my argument on the moral weight of our treaty of 1832, although of course not averse to availing myself of any support which may come from any other quarter to fortify what we conceive to have been our clear

purpose in executing that instrument. And under no circumstances would I in the name of this government be willing to accept a less measure of impartial privilege for a citizen of the United States visiting or sojourning in Russian territory than is assured to aliens in the like case by any stipulation with or usage toward any other nation on the part of Russia.

I had the honor in my letter of the 20th ultimo to Mr. Bartholomei to acquaint him with the general views of the President in relation to this matter.

I can not better bring this instruction to a close than by repeating and amplifying those views which the President so firmly holds, and which he so anxiously desires to have recognized and responded to by the Russian Government.

He conceives that the intention of the United States in negotiating and concluding the treaty of December 18, 1832, and the distinct and enlightened reciprocal engagements then entered into with the Government of Russia, give us a moral ground to expect careful attention to our opinions as to its rational interpretation in the broadest and most impartial sense; that he would deeply regret, in view of the gratifying friendliness of the relations of the two countries which he is so desirous to maintain, to find that this large national sentiment fails to control the present issue, or that a narrow and rigid limitation of the construction possible to the treaty stipulations between the two countries is likely to be adhered to; that if, after a frank comparison of the views of the two governments, in the most amicable spirit and with the most earnest desire to reach a mutually agreeable conclusion the treaty stipulations between the United States and Russia are found insufficient to determine questions of nationality and tolerance of individual faith, or to secure to American citizens in Russia the treatment which Russians receive in the United States, it is simply due to the good relations of the two countries that these stipulations should be made sufficient in these regards; and that we can look for no clearer evidence of the good-will which Russia professes toward us than a frank declaration of her readiness to come to a distinct agreement with us on these points, in an earnest and generous spirit.

I have observed that in your conferences on this subject heretofore with the minister for foreign affairs, as reported in your dispatches, you have on some occasions given discreet expression to the feelings of sympathy and gratification with which this Government and people regard any steps taken in foreign countries in the direction of a liberal tolerance analogous to that which forms the fundamental principle of our national existence. Such expressions were natural on your part, and reflected a sentiment which we all feel. But in making the President's views known to the minister I desire that you will carefully subordinate such sentiments to the simple consideration of what is conscientiously believed to be due to our citizens in foreign parts. You will distinctly impress upon him that, regardful of the sovereignty of Russia, we do not submit any suggestions touching the laws and customs of the empire except where those laws and customs conflict with and destroy the rights of American citizens as secured by treaty obligations.

You can further advise him that we can make no new treaty with Russia, nor accept any construction of our existing treaty, which shall discriminate against any class of American citizens on account of their religious faith.

I can not but feel assured that this earnest presentation of the views of this Government will accord with the sense of justice and equity of that of Russia, and that the questions at issue will soon find their natural solution in harmony with the noble spirit of tolerance which pervaded the ukase of the Empress Catherine a century ago, and with the statesman-like declaration of the principle of reciprocity found in the later decree of the Czar Alexander II in 1860.

You may read this dispatch to the minister for foreign affairs, and should he desire a copy, you will give it to him.

I am, etc.,

JAMES G. BLAINE.

No. 37.—*Mr. Hoffman to Mr. Blaine.*

No. 150.] LEGATION OF THE UNITED STATES,
St. Petersburg, August 29, 1881. (Received September 24.)

SIR: I have the honor to inform you that, having prepared a copy of your dispatch No. 87 upon the subject of United States Jews in Russia, I to-day called upon Mr. de Giers.

I told him the object of my visit, and offered to read your dispatch. He requested me not to do so, as he was very much occupied, and several persons waiting to see him, but asked me to leave him a copy, which he promised to have carefully considered.

I said to him that your dispatch related to citizens of the United States alone; that you did not touch upon the question of Russian Jews; and that as regards citizens of

the United States you placed yourself principally and strongly upon the treaty of 1832. That under the treaty every citizen of the United States, without distinction of creed, had the right to go where he pleased, and stay as long as he pleased, in the empire. He replied that he regarded the words "on condition of their submitting to the laws and ordinances there prevailing" as qualifying this right, and subjecting American Israelites to the laws which govern Russian Israelites. I assured him that it appeared to me that those words referred rather to laws on morals (*mœurs*) and police "ordinances," in the ordinary acceptation of that term. I added, that in the case of Russian Jews very many exceptions were made to their laws (referring to the large number of Russian Jews permitted to reside in St. Petersburg contrary to law). He admitted that there were many such exceptions; and added that exceptions were made and would be made freely in case of foreign Jews also. I had only to apply in any particular case, and he had no doubt an exception would be made; your dispatch should be carefully considered, and in a week or two he would answer it verbally or in writing, as I preferred. He added that the answer would probably be the same as that given to the English.

The answer given to the English, I understand to be, that the treaty does not give an English Israelite the right to go anywhere, or stay any length of time in Russia, but that he is bound by the regulations which govern native Jews; but that in the case of Mr. Lewisohn an exception is made on request of the British embassy, and he can return here if he desires to do so. I do not speak with certainty, but I learn in well informed quarters that this is the decision.

I am, etc.,

WICKHAM HOFFMAN.

No. 38.—*Mr. Hoffman to Mr. Blaine.*

No. 162.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 8, 1881. (Received October 26.)

SIR: Referring to your dispatch No. 87, and to my No. 150 in reply, I have the honor to inform you that I called yesterday upon Mr. de Giers in reference to the question of United States Jews in Russia. Mr. de Giers stated that he had read your dispatch with interest; that the question had two sides—its legal and its moral side; that in reference to the former, he still maintained the view he had already intimated to me, viz, that in the treaty of 1832 the words "on condition of their submitting to the laws and ordinances there prevailing" were controlling, and subjected American Jews to the treatment of native Jews. He added that he had given an analogous answer to the representations of other powers.

As regards the moral side of the question, he, personally, would be glad to see important modifications made in the laws regulating the condition of the Jews in Russia; but that they had brought much of the harshness of these laws upon themselves. A commission had, however, been appointed to examine and report upon the whole Jewish question, under the presidency of the minister of the interior; that the commission would meet this autumn, and that he had already transmitted your dispatch to that officer, to be submitted for the consideration of the commission.

I am, etc.,

WICKHAM HOFFMAN.

No. 39.—*Mr. Hoffman to Mr. Frelinghuysen.*

No. 183.] LEGATION OF THE UNITED STATES,
St. Petersburg, January 9, 1882. (Received February 2.)

SIR: Referring to the correspondence between the Department and this legation upon the subject of American Jews in Russia, I have the honor to report the following curious case:

About three weeks ago I was called upon by a man of the name of James G. Moses, who produced his United States passport, and stated that he was a Jew; that he was employed in the Ceniselli circus in this city as stable director, and that he had been ordered out of the city as a Jew. He added that he was not "one of those Talmud Jews"; that he belonged to the American Reformed Church, known in Russia as the Karaim Jews.

As I have found by experience that the most effective way to proceed in these cases is to appeal direct to the chief of police, and through him, if necessary, to the minister of the interior, and not to address the minister of foreign affairs, except as a last

resource, I asked the consul-general, who is in relations with the municipal authorities, to apply to General Kosloff, prefect of police, on Mr. Moses's behalf.

As soon as General Kosloff understood that Moses was a Karaim Jew, he told the consul-general to send the man to him the next morning accompanied by his employer.

The next morning they went accordingly, and the result of the interview was that Mr. Moses was informed that General Kosloff would recommend that permission be given him to remain, and in the meantime to give himself no uneasiness. I understand that he has since received the necessary permission.

It appears that the Karaim or Reformed Jews are of a superior class, and have never given the Russian Government any trouble or been found enrolled among the nihilists.

Mr. Moses is a resident of New York, born in Germany, but taken to the United States when a young child.

I am, sir, etc.,

WICKHAM HOFFMAN.

No. 40.—*Mr. Frelinghuysen to Mr. Hoffman.*

No. 123.] DEPARTMENT OF STATE,
Washington, April 15, 1882.

SIR: The prejudice of race and creed having in our day given way to the claims of our common humanity, the people of the United States have heard with great regret the stories of the sufferings of the Jews in Russia. It may be that the accounts in the newspapers are exaggerated, and the same may be true of some private reports. Making, however, due allowance for misrepresentations, it can scarcely be doubted that much has been done which a humane and just person must condemn.

The President of course feels that the Government of the Emperor should not be held morally responsible for acts which it considers wrong, but which it may be powerless to prevent.

If that be true of this case, it would be worse than useless for me to direct you, as the representative of the United States, to give official expression to the feeling which this treatment of the Jews calls forth in this country. Should, however, the attitude of the Russian Government be different, and should you be of the opinion that a more vigorous effort might be put forth for the prevention of this great wrong, you will, if a favorable opportunity offers, state, with all proper deference, that the feeling of friendship which the United States entertain for Russia prompts this Government to express the hope that the imperial Government will find means to cause the persecution of these unfortunate fellow-beings to cease.

This instruction devolves a delicate duty upon you, and a wide discretion is given you in its execution. However much this Republic may disapprove of affairs in other nationalities, it does not conceive that it is its right or province officiously and offensively to intermeddle. If, however, it should come to your knowledge that any citizens of the United States are made victims of the persecution, you will feel it your duty to omit no effort to protect them, and to report such cases to this Department.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 2.

Mr. Hoffman to Mr. Frelinghuysen.

No. 221.] LEGATION OF THE UNITED STATES,
St. Petersburg, April 29, 1882. (Received May 15.)

SIR: The anti-Jew riots have commenced again in the south of Russia. They have been marked, as heretofore, by great and wanton destruction of property, but by little personal violence.

The scene of the worst disturbances has been the town of Balta, a town of about 25,000 inhabitants, nearly three-quarters of whom are Israelites. It lies about 125 miles northwest of Odessa.

The riot is reported to have been from some trifling cause, such as the

refusal of a Russian peasant to pay for the liquor he had drunk in a wine-shop kept by a Jew.

The police, which was very weak, appears to have interfered simply to prevent the Jews from defending themselves.

At first the rioters did not number more than two hundred, many of them boys. But soon the peasants began to come in from the country, joined the rioters, and gave a more serious turn to the affair. The riot lasted two days before troops arrived from Odessa to quell it. During this time, of the thousand houses occupied by Jews, all, except perhaps fifty, were gutted and sacked. As faras ascertained, one Israelite only lost his life. But the amount of suffering undergone by over 15,000 people, men, women, and children, destitute of food and lodging, is painful to contemplate.

I am satisfied that the Russian Government is truly anxious to put a stop to these riots. * * * It is reported that in the country far from garrison towns the German inhabitants are very uneasy, and the saying is not uncommon, "After the Jews, the Germans."

But the position of the Russian Government in this matter is an exceedingly difficult one. In a conversation with General Ignatieff a few days since, he told me that the government had received the reports of the numerous local boards appointed by it last year to suggest measures for the amelioration of the condition of the Jews; that they had not only by a majority, but unanimously, recommended their expulsion from the Empire. "We have then," he said, "on the one hand 5,000,000 Jews, Russian subjects, clamoring to be freed from all special restraints, and we have on the other 85,000,000 Russian subjects clamoring to have the 5,000,000 expelled from the Empire. What is to be done in such a case?"

I am, sir, etc.,

WICHAM HOFFMAN.

No. 3.

Mr. Frelinghuysen to Mr. Hunt.

No. 5.] DEPARTMENT OF STATE,
Washington, June 26, 1882.

SIR: I inclose herewith a copy of a letter from Herman Rosenstraus, dated the 10th [22d] of April, 1882, in relation to the conflict that he and his brother have been involved in with the Russian authorities by reason of his Hebrew faith.

From the record of passport No. 49450, issued by this Department to Herman Rosenstraus, accompanied by his wife and five minor children, it appears that he was admitted to the citizenship of the United States by the court of the county of Monroe, in the State of New York, on the 18th day of September, 1860.

You will do what you can to obtain relief for Mr. Rosenstraus in the grievances he sets forth in his letter.

It may be advisable in this matter for him to endeavor to show, if possible, his *animus revertendi* in order to offset the fact of his six years' redomicile in Russia.

I am, etc.,

FRED. T. FRELINGHUYSEN.

[Inclosure.]

Mr. Rosentraus to the President.

APRIL 22, 1882.

SIR: A fellow-citizen being destined by Providence to seek his fortune across the ocean in the Empire of Russia comes to you, honorable sir, for advice and assistance.

About six years ago I left America, State of New York, city of Rochester, where I was engaged in business for a number of years, in order to take charge of a business carried on by my brother Theodor, also an American citizen, in the city of Charkoff, in the Empire of Russia. He, my brother, was at that time and is now carrying on the optical business; besides that he is representing the Singer Sewing Machine Company, New York.

So far everything went well. Now, I must state that it is customary here to change passports every year, and I did so in the course of five years without any obstacles.

On the 22d of December, 1881, my passport again expired, and according to custom I went to the governor to have the same renewed. He did so, but told me that I must call for it at the police station. Calling there you may imagine my surprise when the police master informed me that I had to leave the city on account of my being a foreign Jew. I told him that I was a citizen of America, and America has only citizens, not knowing any distinction in creeds.

I was answered, that the law has no distinction for America, and if I could not procure the right to stay here from the minister of interior afiairs through our worthy legation at St. Petersburg, I would have to leave the city.

I wrote forthwith to our worthy legation and received a letter, the copy of which I hereby annex:

"LEGATION OF THE UNITED STATES,
"*St. Petersburg, January* 5 [17], 1882.

"SIR: I received your letter of the 30th December last yesterday. To-day I have written to General Ignatieff on your behalf. I hope to get permission for you to remain, but, as you are aware, the feeling in Russia just now is very bitter against persons of your creed.

"General Ignatieff will probably refer the matter to the governor of Charkoff for a report of recommendation. If through him you can secure a favorable recommendation from the governor you will probably be allowed to stay.

"Your obedient servant,

"WICKHAM HOFFMAN,
"*Charge d'affaires.*

"Mr. H. ROSENSTRAUS, *Charkoff.*"

The remark made in the letter of our worthy legation that the feeling in Russia against people of our creed is very bitter pained me very much. It is my opinion that that has nothing to do with my rights. I claim the rights of an American citizen; what religion I adhere to should make no difference to our worthy legation, for they must be aware that America knows only citizens.

If a Jew has no right in Russia, I think it is the duty of our ambassadors to notify our Government not to issue any passport to this country. Had I known such at the time I took my passport in Washington that a Jew has no right here, I certainly would never have ventured to come here with five minor children to be put in such a terrible situation as I am in just now.

The minister, although finding all my papers in order, did not grant me the right to remain here and gave me just ten days to leave.

Ten days' time is granted to an upright and law-abiding citizen to pack up and leave; why, it seems almost a crime to confess to be of Mosaic religion.

How can a man be expected to leave on such short notice with a family now of six minor children? Is he to throw away his business and be a ruined man? And this only for the mere reason because it pleased the Lord to have him born a Jew.

I shall try again this week to see the governor here, in order to grant me at least time enough to remain until I can hear from our worthy Government.

May be you, honorable sir, have power to instruct the now newly appointed ambassador, Mr. William Hunt, to see that our rights here in Russia are protected. If our treaty does not sufficiently protect us, could there not an amendment be made to the effect that Gentiles and Jews should be treated alike?

Hoping and praying, honorable sir, that you may give this appeal your kind attention or bring the same before the proper authorities to act on this matter, I allow myself yet to ask you at least to grant me a few lines, in order to know if something can be done for me.

I am, honorable sir, with much respect,
Your obedient servant,

HERMAN ROSENSTRAUS,
Charkoff, Russia.

No. 4.

Mr. Hoffman to Mr. Frelinghuysen.

No. 241.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 1, 1882. (Received July 17.)

SIR: Referring to your No. 123, of 15th April last, and to my No. 226, in reply, I have the honor to forward to you herewith a copy of a circular of Count Tolstoy, minister of the interior, addressed to the governors of the different provinces of the Empire, upon the subject of the persecution of the Jews, together with a translation of the same.

You will see that the opinion which I ventured to express in my No. 226, and previously in my No. 221, that the Russian Government was sincerely desirous of putting a stop to all violence towards the Jews, is borne out by this circular.

I am, sir, etc.,

WICKHAM HOFFMAN.

[Inclosure in No. 241.—Translation from the Journal de St. Petersbourg, June 12-24, 1882.]

Circular of the minister of the interior to the Government, June 9-21, 1882, *relative to measures to be taken to prevent disorders which might break out against the Israelites.*

The regulations of the committee of ministers approved by His Majesty the Emperor the 3d May last set forth:

That it must be brought to the public knowledge that the Government has resolved to pursue with inflexibility all violence exercised against the person and the property of the Israelites, who are under the protection of the laws, common in this respect to all the population, by the same right as to those of the other subjects of His Majesty the Emperor. That the competent provincial authorities must be informed that the charge belongs to their responsibility of the measures now to be taken with a view to avoid occasions of similar disorders and to put a stop to them as soon as they may break out; and for all negligence in this respect on the part of the administrative authorities and of the police, when they might have, but have not, taken the trouble to prevent acts of violence, those who have been guilty will be relieved of their functions.

The publication of this expression of the imperial will has unfortunately been provoked on several occasions by disorders which have been renewed in different localities of the Empire, accompanied by violence against the Israelite population.

Such disorders, which, as a result, cause individuals to lose, without distinction of race and religion, the certainty of the security of their persons and of their property, prove the insufficiency of the guaranty of the regular and peaceable course of public life, and deprive the Government of the possibility of devoting itself solely to a capital question, and just now of special importance, viz, to harmonize the activity of all governmental and social institutions and direct it towards the determined and clearly defined object of the re-establishment of tranquillity and order, which are the only sure guaranties of the ulterior development of public security and tranquillity. With this aim, the regulations of the committee of ministers not only invite the competent authorities to take peremptory measures to prevent the manifestation of all acts of violence, but points out in addition the necessity of relieving from their functions persons who may be guilty of any negligence in this respect.

In calling the most serious attention of the governors of the provinces to the punctual and inflexible execution of the imperial will expressed by the committee of ministers, I think proper on my side to explain, in development of the fundamental idea, that violence and arbitrariness can not be justified by any inciting causes; that for this reason the adoption of effective measures to be taken to prevent and arrest disorders rests upon the personal responsibility of the governors; and that every manifestation of local disorder will, as its inevitable consequence, render also legally responsible all the functionaries whose duty was the immediate charge of preventing disorders.

Not judging it possible to give here any more direct instructions relative to the means of attaining the above-mentioned end, considering that, on one side, these means are indicated by the law itself, and that on the other the choice to make among

them when it is a question of applying them, depends upon accidental circumstances, temporary and local, I have the conviction that the governors of the provinces will carry out all the requirements clearly established by the imperial will, and will fully justify my hopes on this subject by pursuing on their side, without the least hesitation, all negligence of the authorities.—[Official Messenger.]

No. 5.

Mr. Hoffman to Mr. Frelinghuysen.

No. 244.

LEGATION OF THE UNITED STATES,
St. Petersburg, July 15, 1882.

SIR: I have the honor to acknowledge the receipt of your No. 5 addressed to Mr. Hunt.

With this dispatch you inclose a petition of Mr. Herman Rosenstraus to the President, and you instruct Mr. Hunt to do what he can for the relief of Mr. Rosenstraus in the grievances set forth in his letter.

I have the honor to say that I should have reported this case to the Department had Mr. Rosenstraus suffered any wrong; but you will observe that at this date, more than six months from the time he received notice to leave Charkoff, he is still in that city, and, although I have received no assurance to this effect, I am confident that under the present policy of the Russian Government he will not be disturbed.

I am, etc.,

WICKHAM HOFFMAN.

[Inclosure 1 in No. 244.]

Mr. Rosenstraus to Mr. Hoffman.

WASHINGTON, *December* 30, 1881. [January 11, 1882.]

To the Legation of the United States of America at St. Petersburg:

HONORABLE SIR: Nearly six years ago I arrived here in Charkoff from America, State of New York, city of Rochester, to take charge of a business which my brother, Theodor Rosenstraus, has carried on here as first guild merchant for the last ten or twelve years. I at that time received full power of attorney from my brother to act for him in every capacity, and such power of attorney was every year renewed by a notary public. So far every thing went well.

The 22d of this month my passport had to be renewed and I went to the governor's office to do so. The governor had the same renewed, but told me I must call for the passport at the police office. I called there to receive the same, but was not a little surprised when the police master informed me that I as an American Jew had no right to live here, except I had the permission granted to me by the minister of interior affairs. I told him that this is new to me. I had lived unmolested for the last six years, and showed him my power of attorney, as also first guilder's clerk's certificate. He said that this is all correct, but he must abide by the law, and all he could grant me to remain here was six weeks time. If I could in that time procure the right to stay here all right; if not I had to leave.

I therefore, being a citizen of the United States of America, seek your kind protection. The way I am situated here, it is for me at present impossible to leave. I have a family of six minor children, two of my boys attend the gymnasium and one girl is attending the German school here, the others are quite small yet. Besides that, I am in business bound up that way that it would be ruination to me were I compelled to leave.

My brother Theodor being in feeble health lives abroad, so it leaves me here sole manager of the business.

While writing this it almost breaks my heart, at the idea that a free American citizen who means to be upright and honest should be dealt with in such a way and only for the mere reason because it pleased the Lord to have him born a Jew.

Trusting, hoping, I relying entirely upon your kindness to help me in this unpleasant affair as speedily as possible.

I have, etc.,

H. ROSENSTRAUS.

[Inclosure 2 in No. 244.]

Mr. Hoffman to Mr. de Giers.

JANUARY 5 [17], 1882.

EXCELLENCY: I have the honor to call your excellency's attention to the case of Mr. H. Rosenstraus, an American Jew residing at Charkoff.

Mr. Rosenstraus came to Russia six years ago to take charge of a business already established by his brother. If I am correctly informed, Mr. Rosenstraus is an optician. He has continued to reside quietly at Charkoff for the whole of this period. He belongs to the first guild, and pays his taxes accordingly. He has a family of six children, boys attending the gymnasium, and a girl at the German school.

On the 22d December last, on the renewal of his passport by the governor, he was referred to the police office, and there told that as an American Jew he had no right to reside at Charkoff without the permission of his excellency the minister of the interior. He was given six weeks to obtain this permission.

I have the honor to apply to your excellency on behalf of Mr. Rosenstraus. So far as I can learn he is a peaceable American citizen, pursuing quietly an important business, profitable to himself and useful to his neighbors, and complying faithfully with the laws governing the residence of foreign Jews in Russia. It is needless to point out to your excellency that to compel him to leave Charkoff, would break up his business and probably ruin him.

I am, etc.,

WICKHAM HOFFMAN.

[Inclosure 3 in No. 244.]

Mr. Hoffman to Count Ignatieff,

JULY 5 [17], 1882.

(Same letter as to Mr. de Giers, *mutatis mutandis.*)

[Inclosure 4 in No. 244.—Telegram.]

Mr. Rosenstrans to Mr. Hoffman.

APRIL 1 [13.]

Received notice to-day to leave city within ten days. I am the sole conductor of business; the cause my brother leaves on acconnt of ill health abroad. What am I to do?

[Inclosure 5 in No. 244.—Telegram.]

Mr. Hoffman to Mr. Rosentraus.

APRIL 1 [13.]

Will see Ignatieff. Will do what I can for you. Can promise nothing.

[Inclosure 6 in No. 244.]

Mr. Hoffman to Mr. Rosenstraus.

APRIL 2 [14], 1882.

SIR: I have seen General Ignatieff, and he promises to look into your case immediately, and do what he can; but he can give no definitive answer until he receives the governor-general's report.

As matters now stand, I can do nothing more for you, unless to get you a few months' delay. In case the order is persisted in I will endeavor to do this, if you let me know in time.

WICKHAM HOFFMAN.

[Inclosure 7 in No. 244.]

Mr. Rosenstraus to Mr. Hoffman.

APRIL 9 [21], 1882.

DEAR SIR: Your favor of the 2 [14] instant came duly to hand, and contents noted. I really don't know how to thank you for your kind attention towards me, and I am in hopes that you will yet succeed in getting the right for me to remain. If it depends upon the general governor's report I am perfectly confident that nothing in that respect will be lacking, for I can proudly say, although it is only myself who says so, that as far as character and reputation is concerned, the family Rosenstraus is irreproachable.

HERMAN ROSENSTRAUS.

[Inclosure No. 8 in 244.]

Mr. Rosenstraus to Mr. Hoffman.

APRIL 27 [MAY 9,] 1882.

(Reminding me that his time would expire in a few days and asking me to get him more time, and making inquiries about his right under the treaty of 1832.)

[Inclosure 9 in No. 244.]

Mr. Hoffman to Mr. Rosenstraus.

MAY 2 [14], 1882.

SIR: I have your letter of April 27. It appears to me that the best course at present in your case is to do nothing. This is my view of the subject. If you think differently let me know, and I will make a formal application that you may have a delay of six months.

As regards the question you ask me, the United States Government has always contended that under the treaty of 1832, United States citizens in Russia have all the privileges of Russian subjects without any distinction of creed. The Russian Government, on the other hand, contends that United States citizens have only the privileges of Russian subjects of the same faith; and I must add that Great Britain concedes the Russian view. As the law stood a year ago, I should have had no hesitation in saying that as Russian Jews of the first guild, with their necessary clerks and servants of their faith, could reside wherever they wished in Russia, so could American Jews under the same circumstances. If this privilege has been withdrawn from the Russian Jew, of course it has been withdrawn, in the Russian point of view, from the American. But I am not aware that it has been withdrawn.

I repeat that my advice to you is to do and to say nothing. At the same time, I will make the application for delay, if you desire it. If the order is persisted in, I shall report the case to my Government, and ask for instructions.

WICKHAM HOFFMAN.

[Inclosure 10.]

Mr. Rosenstraus to Mr. Hoffman.

MAY 5 [17], 1882.

HONORABLE SIR: In answer to your worthy letter of May 2 [14] I would say that I am very willing to let the case rest, but I am only sure that as soon as my time expires, which is the 10th of this month, I will be notified by the authorities here to leave the city except the Minister of Interior Affairs gave notice to let the matter rest.

As I am entirely confiding in you, I certainly not do anything against your kind advice.

Come what may, I will with the help of God bear the consequences.

ROSENSTRAUS.

P. S. I must yet state that the Russian Jews paying first guild here are not molested, neither their hired help. Would you advise me in case I have to leave to close the business?

(The 10th of May came and went and Mr. Rosenstraus was not notified to leave the city, and so matters continued until the fall of General Ignatieff. Shortly after that event, I received the following letter.)

[Inclosure 11.]

Mr. Rosenstraus to Mr. Hoffman.

JUNE 17 [29], 1882.

SIR: I almost came to the conclusion that I am the so-called haunted Jew. I perceive that other foreign Jews are left entirely alone; they seem to be after me as they would after a condemned criminal.

I took your advice of your letter of May 2 [14], wherein you stated not to do or say anything about the matter in order not to draw attention of the Government to my case; but a few weeks ago an official called Pristav came to me, and told me that my time was up, and I must leave the city. I told him that I had this whole business in my charge, and it would be impossible for me to leave. He told me to give him such in writing, which I did, and to-day I received an answer, the copy of which I hereby enclose, granting me two weeks more time.

Received July 2d.

July 3d I answered Mr. Rosenstraus that I would see Count Tolstoy, the newly-appointed Minister of the Interior, on his behalf.

On the 5th I called upon him, but not finding him in, I wrote him on the same day as follows:

[Inclosure 12 in No. 244.]

Mr. Hoffman to Count Tolstoy.

JULY 5, 1882.

EXCELLENCY: There is at present at Charkoff an American Jew named Herman Rosenstraus, who has been there for some years; his brother is a well known optician of that place, and a member of the first guild. Herman Rosentraus, chief clerk and business manager, and in his absence holds his power of attorney. He is married, sends his children to school, and is, as far as I am aware, a good and useful citizen. Last winter he received notice that he must leave Charkoff. I wrote to Mr. de Giers on his behalf, and I also wrote unofficially to your excellency's predecessor, Count Ignatieff. The result was, that while no personal permission was given that this man should remain, he has been permitted to until this date. He now receives the inclosed notice that he must remove at once.

I propose to write again to Mr. de Giers, calling his attention to this case, and I trust that your excellency will find it in your power to permit this man to remain permanently. In any case, I hope that your excellency will grant him this permission, for two or three months at least, until the Imperial Government shall have had time to act definitively upon my note.

WICKHAM HOFFMAN.

[Inclosure 13 in No. 244.]

Mr. Hoffman to Mr. de Giers.

Pressé. JULY 5, 1882.

EXCELLENCY: Referring to my note of January 5 [17] last in the case of Herman Rosenstraus, an American Jew residing at Charkoff, who had been ordered to leave that city, I have the honor to inform your excellency that this man has been permitted to remain hitherto without disturbance, until I had begun to hope that he would not be further interfered with.

But he has now received a notice to the effect that he must leave Charkoff in ten days—about five days from the present date.

Your excellency will recollect that in the conversations which Mr. Foster and I have had the honor to hold with your excellency upon the subject of American Jews in Russia, while we have always contended that under the treaty of 1832 American citizens of any religious denomination had the same rights and privileges as regards residence in Russia as Russian subjects of any denomination, and that their faith, or want of faith, was not a proper subject for police inquiry, your excellency has always maintained, on the other hand, that the words of the treaty "on condition of submitting to the laws and ordinances there prevailing," were controlling words, and subjected American Jews to the special laws which govern Russian Jews. Accepting your excellency's view for the moment, for the sake of argument, I have the honor to call your excellency's attention to the fact that this man's brother and employer is a member of the first guild at Charkoff, and that Herman Rosenstraus is his "commis et serviteur," and as such shares his privileges as a member of the first guild. And I beg therefore to add, that if Russian Jews of the first guild are permitted to reside with their clerks and servants, and do business at Charkoff—and I am assured that they are so permitted—then this man, under the provisions of the treaty, as interpreted by your excellency, has a right to do the same.

And in this connection I beg to call your excellency's attention to the whole tone of the Russian legislation upon this subject, as set forth in the memorandum of laws your excellency had the kindness to communicate to Mr. Foster with your note of 27th May [2d June], 1881. Everywhere the foreign Jew of the first guild is looked upon and treated like a native Jew of the same guild, the object being, evidently, to encourage, rather than to discourage, the residence of this class of Israelites in Russia.

I must beg to press upon your excellency the clear application of the treaty of 1832, as interpreted by your excellency, to the case of this American Israelite, and at the same time to express my hope that under it he will be permitted to reside peacefully at Charkoff as long as he sees fit to do so.

WICKHAM HOFFMAN.

No. 6.

Mr. Hoffman to Mr. Frelinghuysen.

No. 246.] LEGATION OF THE UNITED STATES,
St. Petersburg, July 19, 1882.

SIR: Referring to my No. 244, I have the honor to inform you that I have received a note from Count Tolstoy, minister of the interior, to the effect that he has ordered the authorities at Charkoff to give Mr. Rosenstraus until October 15 to leave that city.

I do not regard this as final, but simply as a compliance with my request that he would allow Rosenstraus to remain until the foreign office could reply to my note of July 5 on his behalf.

In this connection I have the honor to enclose a translation of a circular of Count Tolstoy, minister of the interior, dated June 21 [July 3], which appears to me to apply to the case of Rosenstraus, and I have called his attention to it.

I am, etc.,

WICKHAM HOFFMAN.

[Inclosure in No. 246.—Translation.]

ST. PETERSBURG.

II.—On the 3d of April. 1880, the ministry of the interior requested the governors to abstain from the expulsion of the Israelites established in their provinces without having a right of residence beyond the limits of the zone assigned for the residence of the Israelites in Russia. This measure was brought about by the fact that an insufficient surveillance by the administrative authorities in regard to the Israelites arriving in the provinces of the center, had permitted many of the latter not only to establish themselves in localities where they had no right to reside, but even to build up industrial enterprises, the suppression of which would have been the ruin of a great number of the inhabitants of the country, Israelite and non-Israelite. In presence of such a situation the ministry of the interior could not omit to take measures tending to protect the interests of private individuals in no manner guilty of illegal tolerance towards the Israelites. The measures in question indicated very clearly to the local authorities the necessity for arrangements capable of preventing in the future irregularities of this kind. The information received by the ministry, however, shows that the local authorities of several provinces do not comply with the request that has been made to them, and proceed to the expulsion of the Israelites domiciled in their provinces anterior to the circular of April 3, 1880, while in other provinces they base themselves upon the same circular to authorize the new domiciliation of Israelites who have not the right of residence.

I find it consequently necessary to call the attention of the governors to the fact that they ought not of their own authority to expel Israelites established in their provinces anterior to the circular of April 3, 1880, and residing there in virtue of regular permissions of residence. It is the duty of the governors, on the other hand, to take all possible measures to prevent new authorizations being given to Israelites who have not the right of residence in the whole extent of the Empire. (Journal de St. Petersburg, July 5 [17], 1882.)

No. 7.

Mr. Frelinghuysen to Mr. Hunt.

No. 7.] DEPARTMENT OF STATE,
Washington, July 22, 1882.

SIR: Charles Goldstein, a citizen of the United States, and a resident of Glens Falls, State of New York, was arrested at Virchony Odinsk, in Russian Siberia, in March last, and is understood to be still detained there. There is no charge against him of having violated or intended to violate the laws of Russia. He sailed from New York in the steamer *Gellert*, of the Hamburg and American line, on the 29th of December last, having an American passport, issued from this Department on the 28th of November, 1881 (No. 3778). His certificate of naturalization was issued from the county court of Warren County, State of New York, on the 23d of October, 1876. Mr. Goldstein and his family are well known and highly vouched for in this (Warren), the county of his residence. I transmit a copy of a letter from Mr. Goldstein to his wife, dated at Virchowy Odinsk, the 12th of April last, which will put you in possession of the facts in more detailed form of his arrest and detention. It appears that the only grounds alleged in justification of these proceedings are that he failed to have his passport exchanged for a Russian permit in the first province of the Empire at which he touched, a municipal requirement of which, if it exists at all, he was entirely ignorant, and could not, as an American citizen, be expected to be familiar with, and concerning which the Russian consul in New York, who *visaed* his passport, failed to inform him. The arrest and detention of Mr. Goldstein under these circumstances is considered by this Government as in derogation of the principles of public law, which accords to the

passport of one nation to its citizen full faith, respect, and credit so long as the bearer of such document bears himself in obedience and respect to the laws of any other nation in whose territory he may be, either as a traveler, sojourner, or temporary resident. I do not permit myself to believe that the Imperial Government of Russia would for a moment lend its countenance or support to such an infraction of this salutary and universally recognized principle as the case of Mr. Goldstein furnishes an example of. The complete freedom in this regard enjoyed in this country by subjects of His Majesty the Czar, and the long and unbroken friendship that has so happily subsisted and still subsists between the Governments of the United States and Russia, forbids such a belief.

The President desires that you will lose no time in bringing this matter to the attention of the Russian Government, expressing, at the same time, his earnest solicitude for the immediate release of Mr. Goldstein with full and free permission to pursue his journey, complete his lawful business in Russia, and return to his country and his family without further molestation.

You will report the result of your proceedings to the Department.

I am, etc.,

FRED. T. FRELINGHUYSEN.

[Inclosure.]

GLENS FALLS, N. Y., *July* 19, 1882.

DEAR SIR: Inclosed I send you a translation of a letter written in the Hebrew language, received here on the 13th instant by Mrs. Charles Goldstein, which explains itself.

The writer, Charles Goldstein, is a resident of this village and a citizen of the United States. I send duplicate copy of his certificate of naturalization.

Since the receipt of the above letter I have called upon the Russian consul at New York City, and I find that on the 14th day of December last, said Goldstein presented a passport to him, and the same was countersigned by him on that day; that said passport was issued on the 28th day of November, 1881, and was numbered 3778.

I also called at the office of the Hamburg-American Steam-ship Company and was there informed that said Goldstein took passage on the steam-ship *Gellert* of said line, which sailed from New York City December 15, 1881, and arrived at Hamburg December 29, 1881.

Will you please present the matter to the proper officials at Washington and urge that immediate steps to secure said Goldstein's release from imprisonment be taken.

I am unacquainted with the practice in such cases, but for the purpose of expediting the matter (as he has now been confined since about the 15th of March last), if it can be done without too much expense to his wife, who is very poor, I should like to have the demand upon the Russian Government, and other necessary steps to be taken, made by cable.

If necessary to make proof of his residence or citizenship in this country, or if any other evidence is required, I will endeavor to furnish same immediately upon being notified.

Hoping that you will do all in your power to aid in restoring to this poor wife her unfortunate husband, and trusting that at some time in the near future, I may, in a measure at least, be able to reciprocate the favor,

I am, respectfully, etc.,

E. L. STEARNS.

Hon. ORANGE FERRIS,
Treasury Department, Washington, D. C.

P. S.—I have written you at the instance of County Judge Cheritree, whom I expected would write you a letter to accompany this, as he stated to me that he would do so, but I have called at his office and found that he was out of town.

Yours, etc.,

E. L. STEARNS.

[Inclosure.]

VERCHONY ODINSK, *April* 12.

To my dear wife, and to my sister and her children:

The first I write you that I am, thank God, well, hoping to hear the same from you and to see you shortly; and second, I write you that I arrived here safely and I have seen all of them. We were happy to see each other, but with David I did not see because he went away 600 versts (75 miles). So I was two days in Peterofska Zabot, and I rode to Verchowy Odinsk, to send him a telegraph, because in Peterofska Zabot there is no telegraph. That is 180 versts and when I came into the office I sent the telegraph and they recognized me as a stranger. They asked me for a passport. I showed it to them and they told me that the passport was not good as I had to change it in the first Russian province at the time I arrived and I did not. I did not know, as the Russian consul did not inform me of it when he put his signature on. So they took me to the police station and they took my passport and sent it to the governor.

In three days a telegraph came that they should search me and take away all papers and books whatever they find, and they shall put guard around the place where I stop, and the excitement in town was great, that an American was arrested. So the justice came in five days later and asked me the following questions:

Q. Where was you born?—A. In Russia.
Q. In what city?—A. I don't remember; as I went away when I was six years old.
Q. What do they call you?—A. Calal Ben Yankla.
Q. Brothers have you?—A. I have; but I don't remember how many.
Q. Your parents living?—A. I don't know.
Q. How long you in America?—A. Sixteen years.
Q. A wife have you?—A. I have, in Glens Falls.
Q. When did you marry?—A. In 1873; in New York.
Q. What is the object of your coming to Siberia?—A. To look for a business.
Q. And why to Peterofska Zabot?—A. I had a letter to Cheims from his brother in America.
Q. What is his name there?—A. Marks Levy.
Q. Where does he live?—A. In New York; but I can't tell the street.

Then he told me that because my passport was not exchanged for a Russian one he can not release me until they could send to America and find out if the passport is right, and they sent me to Osbrog, and I at once sent an appeal to the American consul in St. Petersburg, but from there it takes three months there and back, therefore I don't know what will be from it.

Therefore, my dear wife, you shall go to Judge Davis and you shall take out a copy of my citizen papers from Warren County and get signatures from people that knows me for fifteen or sixteen years and you shall send it to St. Petersburg to the consul, and you shall go into Hughes & Northrups office in Sandy Hill, and you shall ask them for advice what to do. You shall tell them that I am arrested because I did not change passports, and I did not know it and the Russian consul in New York did not tell me of it. Because if I shall look for justice here it may take years. They also said to take all letters in and out from America.

Also try to send me a hundred rouble; perhaps I will need it here. No more news. I wish you health. From me who hopes to hear good news from you,

C. GOLDSTEIN.

I send my best regards to you all. It comes with hot sobs and tears.

No. 8.

Mr. Hunt to Mr. Frelinghuysen.

No. 5.] LEGATION OF THE UNITED STATES,
St. Petersburg, August 12, 1882.

SIR: I have the honor to acknowledge the receipt of your dispatch No. 7 in the case of Charles Goldstein, and to make the following report:

On the 9th July last the vice-consul received a letter from Goldstein written in Russian, stating that he was imprisoned at Verkné Ondinsk, and claiming protection as an American citizen. On the 10th July Mr.

Hutton transmitted this letter, with a translation, to this legation, and on the 11th Mr. Hoffman wrote to Mr. de Giers on behalf of Goldstein.

Two or three weeks having passed without a reply, Mr. Hoffman wrote a private note to Count Tolstoy, minister of the interior, urging his immediate attention to this case.

And at the same time the consul-general telegraphed to the governor of the province, requesting to be informed why Goldstein was imprisoned.

The governor promptly replied that a full report in his case had been forwarded to the foreign office in May last.

In the meantime Mr. Hoffman's private note to Count Tolstoy appears to have borne fruit, for on the 7th August the consul-general received a telegram from Goldstein that he would be released as soon as his money arrived.

This money has now arrived at St. Petersburg, both the draft forwarded by you and acknowledged by me in my No. 4, and also $150 in United States bank notes forwarded by Goldstein, with the request that they be turned into Russian money. Mr. Stanton will remit to him all this money by telegraph to-day or Monday.

Yesterday the long-deferred report in his case was received from the foreign office at this legation. I have the honor to inclose you a translation of the part relating to the grounds of his arrest. Mr. Hoffman has replied to Mr. de Giers, with my assent, that he entertains no doubt whatever of the identity of Goldstein in view of the instructions of the Department and of the money remitted on his account, and requests that his passport may be returned to him.

Goldstein's statement that he would be set at liberty is confirmed by Mr. de Giers, who states that orders to this effect have been given by the governor-general of eastern Siberia.

I am, etc.,

WILLIAM H. HUNT.

[Inclosure with No. 5.—Translation.]

IMPERIAL MINISTRY FOREIGN AFFAIRS,
DEPARTMENT OF INTERIOR RELATIONS,
St. Petersburg, August 11 [*July* 30], 1882.

SIR: I have received from the governor-general of eastern Siberia a telegram informing me that Goldstein was arrested at Verkné-Ondinsk on account of the suspicious relations which he kept up with the exiles condemned to hard labor, and of the reasonable suspicion that this individual is a Jew of the government of Plock, who clandestinely left Russia in order to escape military service, etc. * * * *

However some of the exiles detained at the prison of Verkné-Ondinsk believed that they recognized in him one Guilts Minsky, a Russian subject, and brother of David Minsky, domiciled at the factory of Petrovsk, and Khaim Guilts Minsky, an exile condemned to hard labor, and they make depositions to this effect before a local magistrate.

In view of these depositions and of the reticence of Charles Goldstein at the interrogatory he underwent, as well as of his doubtful antecedents, the governor of Transbaikal has addressed himself to the Imperial Ministry to obtain through the legation of the United States information which will enable him to be certain of the identity of the individual in question.

GIERS.

No. 9.

Mr. Hunt to Mr. Frelinghuysen.

No. 10.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 15, 1882.

SIR: Herewith I inclose a copy of a letter addressed by me to Mr. de Giers, minister of foreign affairs, in the case of Herman Rosenstraus, an American citizen, who has been ordered to leave Russia because he is a Jew. The case is fully set out in the letter to that minister. It is in my judgment one of great hardship. Under the instructions contained in your letter to Mr. Hoffman, dated April 15, 1882, and numbered 123, I now report it to the Department for such action as it may be considered proper to take.

I have, etc.,

WILLIAM H. HUNT.

[Inclosure.]

Mr. Hunt to Mr. de Giers.

LEGATION OF UNITED STATES,
St. Petersburg, September 14 [2], 1882.

SIR: I have the honor to invite your early attention to the case of Herman Rosenstraus, at present sojourning at Charkoff. This man is an American citizen, who has been notified to leave Russia by the police authorities of Charkoff. His last notification was received by him a few days ago. The time for his departure is announced to be by the 1st of August next.

On or about June 23 [July 5] last application was made by Mr. Hoffman, secretary of legation, for permission for him to remain unmolested at least until the Imperial Government should have time to act definitely upon the case. His application was addressed to Count Tolstoy, minister of the interior, and orders were issued by that minister extending the time allowed Rosenstraus to the 15th of October. From this statement it would appear that the recent notice to leave by the 1st instead of the 15th of October had been issued improvidently or through error.

The Imperial Government not having acted definitely in the matter I deem it proper now to lay before your excellency a brief recapitulation of the facts in the case. In doing so I hope that the conclusions you may reach will be in accordance with the growing tendency of the Imperial Government to treat with a larger measure of tolerance than was formerly shown those persons who profess the same religious faith which Rosenstraus holds.

Herman Rosenstraus is a Jew. He was born in Würtemberg. At the age of twelve years he went to the United States, where he grew up and lived for twenty-seven years. He was naturalized in 1860, according to the laws of the United States. He married an American woman. His children were born in the United States. His wife's family still live there. His household furniture and effects remain there, and he is the owner of real estate there.

In 1876 he left his home in the United States to join his brother, a merchant trading in Charkoff, and was induced to embark temporarily with him in business. He brought with him his wife and children under a passport from the Department of State at Washington. He has ever since lived in Charkoff and acted as the clerk or agent of his brother, his "commis et serviteur." He has devoted himself solely to business pursuits, conducting himself with circumspection, and in no wise, either by word or act or sentiment affiliating with or sympathizing with persons of doubtful loyalty or suspicious conduct.

It is his purpose, and he has always so declared it to be, to return to his home in America as soon as he can do so without violating engagements long since contracted and without incurring ruinous losses.

His brother holds the license of a merchant of the first guild, and is in the peaceable exercise of his calling. Herman Rosenstraus deemed himself shielded from molestation under his passport in all countries where relations of amity with the United States existed, and he was justified in believing this with regard to Russia,

whose friendship for my fellow-countrymen had ever been conspicuous, and whose expressions of sympathy, in their time of grief and trouble, have ever been appreciated as the manifestations of an unusually good disposition towards us by the Imperial Government.

Herman Rosenstraus, acting as his brother's clerk and business manager, was permitted to remain undisturbed until January last. He was then summarily ordered to leave Russia. His case was then submitted to your excellency and he has awaited a final decision upon it until now. Under the recent order for his expulsion it seems to invite prompt action.

The mere statement of the facts that are here recited justifies the expectation that he will be permitted to remain. The protection claimed for him is not based on the fact that he is a Jew. It rests upon the broader fact that he is an American citizen, entitled in that character alone to the privileges and immunities of his citizenship, and to invoke at the hands of Russia the same measure of justice which would be freely accorded to a Russian in the United States sojourning there under like circumstances.

This right my Government has always insisted upon, under the general principle which governs the intercourse between friendly powers, and which is especially guarantied by the provisions of the treaty of 1832 between Russia and the United States.

But if the privileges of a temporary residence in Russia are denied to citizens of the United States, and their commercial privileges are abridged and circumscribed by the application of religious tests, which are unknown in the United States and unmentioned in the treaty, it becomes clear that the "reciprocal liberty of commerce" which is expressly agreed in the treaty can not exist.

But the present case does not stand only on the provisions of the treaty. Rosenstraus's right to remain in Russia falls clearly within the interpretation given by your excellency of the law of the Empire, which permits merchants of the first guild to have with them their clerks and employés—"commis et serviteurs. Under this interpretation, which, I understand, has been acted upon in the case of other Jews, it must be held that Herman Rosenstraus is included.

But his right to remain in Russia goes still further. I have been furnished with a copy of a circular from the minister of the interior in the Russian language, bearing date June 21 [July 3]. Unhappily for me I am unacquainted with that language and am wholly dependent on the translations of inexact scholars for the text of this circular. The spirit of this circular seems to be a desire to prevent the expulsion of meritorious and inoffensive Jews. A clause in it calls the attention of the governors of the respective departments to their duty not to banish from their departments those Jews who had settled there before this circular was issued by the minister of the interior on the 3d of April, 1880, and who were living in such departments under lawful permits.

If this clause be correctly translated, as I have every reason to think it is, the right of Rosenstraus to remain in his place of abode is secured to him under it.

I am particularly instructed by the Government of the United States to omit no proper effort for the protection of any citizen who occupies his position.

It is a duty rendered agreeable in this instance by the conviction which I entertain that he is a respectable and harmless man, intent only on his own affairs, whose expulsion from Russia would subject him to irreparable injury.

If he is permitted to remain, such permission would be deemed an evidence of that policy of religious toleration on the part of Russia towards the Jews which has been received with universal approbation among the enlightened nations of the world, and nowhere with more earnest applause than by my Government.

In the hope of an early and favorable response to this appeal,

I have, etc.,

WILLIAM H. HUNT.

No. 10.

Mr. William H. Hunt to the Secretary of State.

No. 18.] LEGATION OF THE UNITED STATES.
St. Petersburg, November 1, 1882.

SIR: On the 19th of October I received from Mr. Vlangaly, the assistant minister of foreign affairs of His Imperial Majesty's Government, an answer to my note in behalf of Herman Rosenstraus. I had prepared

an answer to Mr. Vlangaly's communication, but had not sent it, when I received the dispatch of the Acting Secretary of State, No. 14, upon the same subject. I have now to acknowledge the receipt of that dispatch.

Inasmuch as Rosenstraus had intimated to me the possibility of his being able, through some amicable arrangement between himself and the authorities of Charcoff, to protract his stay in that place without further molestation, I determined to defer sending my communication to the minister of foreign affairs until I should hear from Rosenstraus, to whom I had at once written.

I have not yet had from him the expected reply, but await it, before troubling the Department with the correspondence in the case to which I have alluded.

I have, etc.,

WILLIAM H. HUNT.

No. 11.

Mr. Hunt to the Secretary of State.

No. 21.] LEGATION OF THE UNITED STATES,
St. Petersburg, November 20, 1882.

SIR: I have to acknowledge the receipt in due course of mail of the dispatch of Mr. Davis, No. 14, relative to the case of Herman Rosenstraus.

I received some days ago from the minister of foreign affairs an answer to my communication in the case. I forwarded to the Department a copy of my communication at the same time that I sent it to the minister.

The Imperial Government refuses to interfere in Rosenstraus' behalf as requested by me, and has contented itself with declaring that in the opinion of the minister of foreign affairs and that of the minister of the interior the provisions of law invoked by me for the protection of Rosenstraus as the clerk and attorney in fact of his invalid brother, who is now absent from Russia, were inapplicable to the case; that these provisions had reference only to native Jews, who might serve in such capacities, but did not apply to foreign Jews.

I prepared at some length a remonstrance against this narrow interpretation of the only law of Russia known to have reference to the subject-matter. I deemed such interpretation unwarranted by any terms employed in that law, and a manifest violation of the reciprocal protection to persons and property and of the equality of rights of citizens expressly guarantied by the treaty of 1832 between the two countries.

Shortly after, in an interview with Mr. Vlangaly, I found him disposed to extend permission for Rosenstraus to remain until June next, and obtained his promise to endeavor to secure this extension of time. I had received an intimation from Rosenstraus himself that upon paying for a license as a merchant of the first guild he felt assured that he might become secured against molestation.

I have concluded that it is inexpedient under these circumstances to send my communication to the minister of foreign affairs. I shall accordingly leave the note of Mr. Vlangaly unanswered, unless a change of circumstances warrants me in sending a reply to it, or the Department should think proper to instruct me otherwise.

I have, etc.,

WILLIAM H. HUNT.

No. 12.

Mr. Hunt to Mr. Frelinghuysen.

No. 32.] LEGATION OF THE UNITED STATES,
St. Petersburg, February 3, 1883.

SIR: I have to acknowledge the receipt in due time of your dispatch No. 21 on the subject of Rosenstraus's case. I deemed it expedient to defer replying to Mr. Vlangaly's letter in the case until now. I have now, however, received my first reply, which I informed you about. I have availed myself of the suggestion you threw out by making it part of my communication of this date.

I have, etc.,

WILLIAM H. HUNT.

[Inclosure.]

Mr. Hunt to Mr. de Giers.

LEGATION OF THE UNITED STATES,
St. Petersburg, January 21 [*February* 3], 1883.

SIR: I beg to acknowledge the receipt of Mr. Vangaly's note of the 7 [19] of October, 1882, reporting the conclusion arrived at by your excellency in the case of Herman Rosenstraus, of Charkoff, concerning which I had the honor to address a communication to your excellency last September, and of which I spoke to you subsequently. From Mr. Vlangaly's note I regret to learn that there is no relief deemed applicable to the case of this unfortunate man. Under the article of the law of Russia permitting merchants of the first guild, who are Israelites, to employ their coreligionists as clerks or servants (*commis et serviteurs*), it is held that this article is applicable only to Russian subjects and merchants of the first guild.

In this conclusion of your excellency, in which Mr. Vlangaly informs me his excellency the minister of finances unites, I am unable to concur, I am instructed by the Government of the United States to make known to you its dissent from your opinion. I have delayed doing so because the application of Rosenstraus to be admitted as a merchant of the first guild had been presented through me to the Russian Government and has not been acted upon. But apprehensive that by continued silence I might be deemed to acquiesce in the conclusion stated in the letter of Mr. Vlangaly, I felt constrained to repel any such inference and to emphasize formally the dissent of my Government from your excellency's opinion.

I have failed to find in the letter of the law or in its context that this right to be employed as clerks or servants is exclusively restricted to persons who are Russian subjects and merchants of the first guild. But even if it were thus restricted, I respectfully claim that such a restriction is open to the charge of being in derogation of the rights secured by Article I of the treaty between Russia and the United States in 1832, and that the "reciprocal liberty" provided in that article, and the enjoyment there stipulated, by citizens of both countries, "of the sources, security, and protection as natives of the country wherein they reside," cannot be preserved if that liberty and that security and protection be limited and neutralized by subsequent legislation or interpretation. When treaties create privileges by express terms, such privileges then created can not afterwards be abridged by the act of one of the contracting parties without the consent of the other.

Heretofore Russia has contended that an American Jew in the Empire could not enjoy commercial or personal privileges denied to native Jews; but now, according to this opinion in Rosenstraus's case, an American Jew is debarred from enjoying certain privileges conceded to native Jews, because he is a foreign Jew. That these positions are incongruous is manifest.

Rosenstraus, by the terms of the article of the treaty, put on the same footing as a Russian subject of Jewish faith, and being in the employ of his invalid brother, a Russian Jew of the first guild, would seem to be clearly entitled to the protection and security he asked. Any other interpretation of the treaty merely subjects American Jews to all the disadvantages of native Jews and excludes them from the few advantages which Russia allows to Russian Jews. There is no reciprocity that can result to American Jews under this interpretation.

In conclusion, your excellency will permit me to express the hope that in future the Imperial Government may recognize the justness of the view of this subject which the Government of the United States entertains, and that all American citizens visiting Russia will, without regard to their religious convictions, receive alike that friendly security and protection which the treaty was designed to provide.

I am, etc.,

WM. H. HUNT.

No. 13.

Mr. Frelinghuysen to Mr. Taft.

No. 7.] DEPARTMENT OF STATE,
Washington, December 18, 1884.

SIR: The Hon. S. S. Cox, M. C., has addressed the Department on the subject of a report that the Russian minister of the interior has ordered the expulsion from Odessa and other cities of all Hebrews holding foreign passports unless also holding "permits of residence."

So far as any of these persons are citizens of the United States, I have to ask that you will communicate to the foreign office the desire of the President that law-abiding American Hebrews, on due exhibition of such passports, may receive the adequate permits of residence referred to. Should it prove that no such order has been made, you will telegraph, and in case the order has been issued you will report as promptly as convenient the approximate number of American citizens in the various cities where it is operative affected by it, that I may apprise Mr. Cox of the facts.

I am, etc.,

FRED'K T. FRELINGHUYSEN.

No. 14.

Mr. Taft to Mr. Frelinghuysen.

No. 26.] LEGATION OF THE UNITED STATES,
St. Petersburg, January 17, 1885. (Received February 6.)

SIR: On receipt of your dispatch No. 7, dated December 18, 1884, relating to the reported order of the minister of the interior of this government, requiring foreign Hebrews to have a "permit of residence" as well as a passport, in order to reside in Odessa and certain other cities in Russia, I immediately addressed a letter to the foreign office, containing specific inquiries on all the points covered by the dispatch, and communicated the desire of the President that "permits of residence" be granted to law-abiding American Hebrews. I have also personally called on the secretary of foreign affairs and on the secretary of the interior, and have likewise made inquiry of ambassadors of countries which have Jewish citizens residing in Russia. There is undoubtedly such an order as you describe in force, but it is not limited to Jews. No foreigner is allowed to reside in Russia without a "permit of residence," as well as a passport. The difficulty is that the government, in granting permits and licenses, discriminates against foreign Jews, according to certain laws in force in Odessa and other cities, and declines generally to

grant permits of residence to them unless they are merchants of the first guild, paying annually 800 rubles each for a license. This is undoubtedly a different rule from that adopted by the government for other foreigners, or for native Jewish citizens, and I have so presented the case to the secretary of foreign affairs. But it is claimed by this government that while according to Article I of the treaty of 1832 American citizens "enjoy the same security and protection as do the inhabitants of the country in which they reside, it is upon the condition that they submit to the laws and ordinances established there, and particularly to the rules of commerce in force," and "that as a matter of fact Israelites are subjected to a particular régime in Russia, regulated by laws and ordinances, and rules for commerce, industry, and the police," and "further, that this régime, referring to all foreign Israelites without national distinction, cannot be considered in the case of one individual Hebrew to whom it applies as any violation of the treaty of December 18, 1832."

It is pretty clear that this government adheres strongly to the opinion that it is essential to the interest of the Empire to restrict by law the residence of foreign Jews in the cities of the Empire.

I find that Germany has many more cases of the kind than we have, and England also has Hebrew citizens residing in Russia, though not so many as Germany. Both Germany and England have conventions with Russia similar to that existing between the United States and Russia. Indeed, I think the articles are identical. I understand that the German Government does not dispute the right of the Russian to adopt these laws in the regulation of its interna l affairs, notwithstanding the convention.

Although the principle has been questioned by the English Government, the regulations of the Russian Government on the subject have been submitted to without any disturbance of friendly relations.

As to the number of American Hebrews residing in the cities of Russia, accurate information is difficult to obtain, if it be at all practicable. I have requested the foreign office to give me such information on the subject as may be practicable, and I shall make such other inquiries as I can; but from the best information I have been able to obtain, my belief is that American Hebrews in Russia are very few. There is an evident belief on the part of the Russian Government that most of the Jews who have gone to America, obtained letters of naturalization, and returned to Russia for business, are speculating on their naturalization papers to evade their military duty to the Russian Government.

I write this statement without waiting for a specific written answer to my before-mentioned communication to the foreign office on the subject of your dispatch No. 7, as it may be some time before the answer will be received, and I believe that I am able to give a correct idea of the position of this government on the subject from the verbal communications I have exchanged with the secretary of foreign affairs and from other sources.

I have, etc.,

ALPHONZO TAFT.

No. 15.

Mr. Taft to Mr. Bayard.

No. 30.] LEGATION OF THE UNITED STATES,
St. Petersburg, March 18, 1885. (Received April 6.)

SIR: Referring to instruction No. 7 from the Department of State to this legation and to my answer in part thereto, numbered 26, I have now the honor to send the answer of this Government to my application, made in pursuance of said first-named dispatch, with a translation thereof.

I am, etc.,

ALPHONZO TAFT.

[Inclosure in No. 30.]

Mr. Vlangaly to Mr. Taft.

IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF INTERNAL RELATIONS,
St. Petersburg, March 5 (17), 1884.

MR. MINISTER: Your note of December 22, 1884 (January 3, 1885), with which you favored the imperial ministry, had for object to obtain information on the point whether the Imperial Government had issued an order by which all foreign Israelites were expelled from the city of Odessa and other localities in the Empire. You at the same time expressed in the name of your Government the desire that permits of residence might be given to all Jewish citizens of the United States of America.

I have to-day the honor to inform you on a communication from the ministry of the interior that no such action has been taken by the Imperial Government.

In regard to furnishing the Jewish citizens of America with Russian permits of residence, the minister of the interior observes that he can not comply with this request, as according to the regulations established on this subject every foreigner having his national passport in due order is obliged, on his own application, to be furnished by the competent Russian authority with a permit of residence.

The law at the same time grants to foreigners the right to bring complaint for any irregularity that may take place in this respect.

I have also to add that the Imperial Government is unable to supply the legation of the United States with statistics concerning the number of the Jewish American citizens residing in Russia.

Receive, etc.,

A. VLANGALY.

No. 16.

Mr. Lothrop to Mr. Bayard.

No. 77.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 7, 1886. (Received September 20.)

SIR: As the question has recently come up again, I think it my duty to advise the State Department of the present status of the right of citizens of the United States being of the Hebrew faith to enter into or dwell in Russia.

The laws of Russia forbid this. It is true there are some exceptions in favor of members of great banking or commercial houses, but this is of no practical value to Americans.

This matter has heretofore been the subject of careful and extended correspondence between the State Department and this legation, espe-

cially in 1880 and 1881. A digest of the Russian law may be found in Mr. Foster's dispatch of July 14, 1881.

Every effort seems to have been made to induce the Imperial authorities to modify its laws in favor of our citizens, but wholly without success. There is now no probability of any such modification. Indeed, there seems now to be a revival of strictness in enforcing the restrictions. Strict orders have been issued to Russian officials abroad not to *visa* the passports of any persons recognized as foreign Jews. The object is to turn all such persons back at the frontier, and thus prevent their entering the Empire. If, however, any get through, their passports are subjected to renewed scrutiny in all large cities, and if they are recognized they are forthwith ordered to leave. The papers announce that only a few days ago two English Jews, one of them a member of Parliament, were peremptorily expelled at Moscow.

On August 29 a most respectable Hebrew merchant of New York, a native-born citizen of the United States, who was traveling in Russia as a tourist with his family, was waited on at his hotel in this city by the police, his passport returned to him, and he was ordered to leave the city that night. He came to me immediately, and I at once not only went to the foreign office, but filed a protest in writing against this order, and asked its revocation. At the same time I advised him to remain pending my application. My explanation of this gentleman's character and the purpose of his visit was very readily accepted and the order of expulsion revoked.

* * * The Imperial Government defends its position on the ground that every country must have full liberty to determine who shall have the right to enter and dwell in its territory. * * * It is not pretended that American citizens of the Hebrew faith have ever at any time proved dangerous to the peace or safety of the Empire. But it is urged that discrimination between nationalities is inadmissible, and that the harshness of the general rule is mitigated by special permission given in all proper cases upon special application.

I believe that the Russian officials are disposed to be obliging in this respect, but it can never be acceptable that any body of American citizens should be subject to any such necessity. It seems to be an imputation on that which is justly held most sacred.

Still, as there is not the slightest inclination to abrogate, or even modify the law, it may be desirable that the facts should be more fully known in America.

Much annoyance and mortification would be saved if our Hebrew fellow-citizens desiring to come to Russia should apply for special leave. Letters of introduction to the legation would be most useful in promoting such application. Permission could doubtless be obtained in all ordinary cases.

This question has arisen in several other cases; but in no other case of an American citizen has an actual order of expulsion been made.

I submit the matter to you for such consideration and direction as you shall think best.

I am, very truly, etc.,

GEORGE V. N. LOTHROP.

No. 17.

Mr. Bayard to Mr. Lothrop.

No. 59.] DEPARTMENT OF STATE,
Washington, September 23, 1886.

SIR: In your No. 77 you inform the Department of the present status of the Russian law respecting the right of an alien of the Hebrew faith to enter or reside within His Imperial Majesty's territory.

You state that, save in exceptional cases, it is altogether denied, and that though efforts have been made on various occasions by the legation to induce the Russian Government to modify the law, there now exists no probability of such modification, although special exception has been made at your request.

The treatment of alien Jews prescribed by the Russian law is such as we, whose system of Government rests on toleration and freedom of conscience, can not comprehend without difficulty or view without regret. Aimed, as it would appear, principally at Russian-Polish Jews by origin, and rigidly applied as to them even when they are lawful citizens of another state, the fact that the enforcement of the law in the case of worthy foreign Jews of other origin appears to be within the discretion of the police authorities, and that the representations of the legation are generally heeded when an American Jew is in question, fortunately makes occasion for protest rare.

The instance cited by you is in point where a native-born Hebrew merchant of New York was promptly relieved from the harsh order of expulsion.

Any case arising should be carefully examined on its merits, and where the person interested is not by origin a Russian Jew, returning to his native country under circumstances suggesting danger to the state and implying the exercise of the ultimate right of self-preservation, the earnest efforts of the legation will doubtless be exerted to secure relief in whatever way the Russian administrative system may indicate as practical. * * *

The Government of the Czar is fully aware that we do not admit the principle of discriminating against any American citizens because of their religious tenets.

I am, etc.,

T. F. BAYARD.

No. 18.

Mr. Bayard to Baron Rosen.

DEPARTMENT OF STATE,
Washington, October 4, 1887.

The Secretary of State presents his compliments to the chargé d'affaires *ad interim* of Russia, and has the honor to request him to cause the inclosed documents to be authenticated under the seal of the Russian legation and then returned to the Department of State.

No. 19.

Baron Rosen to Mr. Bayard.

IMPERIAL RUSSIAN LEGATION,
Washington, September 23 [*October* 5], 1887.
(Received October 5.)

The chargé d'affaires of Russia presents his compliments to the Secretary of State, and has the honor to say, in reply to his communication of the 4th of October, that the documents forwarded for authentication relating to property in Russian Poland, and issuing from persons who appear to be Hebrews, could only be legalized by this legation if accompanied by passports for foreign travel or other documentary evidence showing that the said persons had left Russia with the permission of the Imperial Government, as all legations and consulates are under instructions not to authenticate any documents whatsoever relating to the transfer of property in Russian Poland issuing from Hebrews who have left Russia without permission. In the absence of the evidence above referred to the chargé d'affaires of Russia regrets not to be able to comply with the request of the Secretary of State in regard to the authentication of said documents, which are returned herewith.

No. 20.

Mr. Lothrop to Mr. Bayard.

[Extract.]

No. 150.] LEGATION OF THE UNITED STATES,
St. Petersburg, November 29, 1887. (Received December 19.)

SIR: As I have in a previous dispatch had the honor to make known to you, the laws of Russia prohibit foreign-born Jews, with some unimportant exceptions, from coming into Russia, or becoming domiciled therein.

During this year the law has been very vigorously enforced against all new-comers, and it now seems to be a fixed policy to drive out all who have hitherto become domiciled in the Empire. The newspapers mention the expulsion of large bodies in southern Russia, where they principally live. I have been appealed to by several naturalized American citizens, who have been notified that they must leave the Empire by the end of the year.

I have replied to all such applications that while I should always be glad to render them any proper assistance, this was a matter wholly within the domain of Russian law, so long as foreign Jews of all nationalities were treated alike, and no discrimination made against American citizens.

The ministers of finance, of the interior, and of foreign affairs have power on petition to grant permission to remain here in special cases.

Mr. D. Waldenberg, a naturalized American citizen, but a Jew of foreign birth, long settled at Plock and doing business there, was some months ago notified that he must leave the country by the end of the year. He was so well esteemed by his neighbors that they generally petitioned for the grant of a special permission in his favor. I thought

the case was one in which I could properly join in the application, and did so. No reply has been made.

I have a warm sympathy for these people whose homes and business are thus relentlessly broken up; but my concern would be even deeper if they were only temporarily living here, engaged in promoting business and commerce with their adopted country. But I regret to say that in nearly every case, and perhaps in every case, brought to my attention, they seem to be permanently settled in Russia and engaged in its domestic business.

As many of these persons, if expelled, will be likely to find their way back to America, where their hardships may attract attention, it has seemed to me proper to set out the precise facts of the case, and to show that the unfortunate condition of this class of our fellow-citizens has not been regarded here with indifference.

I am, etc.,

GEO. V. N. LOTHROP.

No. 21.

Mr. Lothrop to Mr. Bayard.

No. 152.] ST. PETERSBURG, *December* 23, 1887.
(Received January 13, 1888.)

SIR: In my dispatch No. 150, of November 29th last, relative to the expulsion of foreign-born Jews from the empire, I mentioned the case of Mr. D. Woldenburg, an American citizen domiciled at Plock, and engaged in business there, as one in which it had seemed proper to use what influence it could in his behalf with the Imperial Government. I confess I had not much hope of a favorable result, but by a letter from Mr. Woldenburg received a few days since, a copy of which is inclosed, I learned that his petition had been granted and he was allowed to continue his residence and business. This information had been confirmed by a letter from the foreign office.

Mr. Woldenburg ascribes the granting of his petition to the favorable offices of this legation, but, while I am glad to believe that they were useful to him, I have no doubt that the great esteem in which he was held in Plock, and which brought to him the general support of his townsmen and neighbors, was the real ground of his success.

I am, etc.,

GEO. V. N. LOTHROP.

[Inclosure in No. 152.]

Mr. Woldenburg to Mr. Lothrop.

EXCELLENCY: I have the honor to respectfully apprise your excellency that I have these days been officially informed that my petition for permission of carrying on my commercial operations at Plock has finally been granted.

I hasten to communicate this favorable news to your excellency in order to show my greatest satisfaction that your excellency's highly influential offices have met with the most favorable success.

I fully believe that I am entirely indebted to your excellency for this unexpected result, as without your assistance I could have never obtained from the Russian Government the permission asked for by me, the more so as many like applications of numerous local foreigners were either refused or unanswered.

In view of these facts I feel greatly obliged to your excellency, both for your official assistance and your extreme condescendence to my frequent requests, and consequently I resolved to come to your city at my earliest convenience in order to personally express my cordial and humble thanks.

I am, etc.

D. WOLDENBURG.

No. 22.

Mr. Bayard to Mr. Lothrop.

No. 108.]

DEPARTMENT OF STATE,
Washington, January 14, 1888.

SIR: I have to acknowledge the receipt of your No. 152 of the 23d ultimo, by which it appears that, as a result of your action, Mr. D. Woldenburg, an American citizen of the Hebrew extraction, domiciled at Plock, has been suffered to continue his business at that place undisturbed.

This report has been read with the greater satisfaction by reason of the evidence it affords that meritorious Hebrews in Russia are not treated according to the strict letter of the rigorous law.

I am, etc.,

T. F. BAYARD.

No. 23.

Mr. Bayard to Baron Rosen.

DEPARTMENT OF STATE,
Washington, December 27, 1888.

SIR: At the request of the Hon. W. W. Morrow, a member of Congress from the State of California, I take the liberty to inclose to you a letter from the Hon. H. S. Foote, of San Francisco, to Mr. Morrow, dated the 11th instant, asking whether the Russian legation can give a safe conduct to a Polish Jew named Kutner to enable him to return to his native place. I should be glad to be favored with a reply to Mr. Foote's inquiries, as also the return of his letter for transmission to him through Mr. Morrow.

Accept, etc.,

T. F. BAYARD.

[Inclosure.]

Mr. Morrow to Mr. Bayard.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., December 19, 1888.

SIR: I inclose herewith a communication from the Hon. H. S. Foote, of San Francisco, Cal. I beg leave to inquire whether anything can be done in the direction suggested by the letter. It has occurred to me that perhaps you might give me a letter to the Russian Minister, and through him I might obtain such a passport as is desired in this case.

Very truly yours,

W. W. MORROW.

P. S.—Please return letter.

M.

[Inclosure in Mr. Morrow's letter.]

SAN FRANCISCO,
December 11, 1888.

DEAR SIR: There is a friend of mine by the name of Kutner who is a Polish Jew, a man of large wealth here, who has much business in Fresno County, and is a Republican and an admirer of yours.

He left Poland, that part which is a province of the Russian Empire, about thirty-five years ago, when he was not more than sixteen years of age, and for many years has been a citizen of the United States. He now desires, with his family, to revisit that country, and particularly the city of Warsaw. He wishes, if possible, to get from the Russian Government through its minister at Washington, a safe conduct to visit his native land unmolested, from any obligation to serve in the military service, and which will pardon him for any supposed violation of his duty from a Russian standpoint. Can you see the proper officer at Washington, and ascertain if he can obtain such a paper? By so doing you will confer a favor upon me and a worthy constituent of your own. Mr. K. is of the firm of Kutner & Goldstein, and has his office with Porter, Slesswiger & Co., on Front street. Your kind attention to this matter will greatly oblige us.

I am your friend and obedient servant,

H. S. FOOTE.

Hon. W. W. MORROW, *M. C.*

No. 24.

Baron Rosen to Mr. Bayard.

IMPERIAL RUSSIAN LEGATION,
Washington December 16 [28], 1888.

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date, accompanied by a letter from the Hon. H. S. Foote, of San Francisco, to the Hon. W. W. Morrow, a member of Congress from California, asking whether this legation can give a safe conduct to a Mr. Kutner, a Hebrew and a native of Russian Poland, to enable him to return to his native place.

In reply to Mr. Foote's inquiries I have to say that this legation has no power to grant any such safe conduct or permission.

I would add that it is open to Mr. Kutner to petition the minister of the interior for the permission he seeks.

I am, etc.,

ROSEN.

P. S.—Mr. Foote's letter is returned herewith.

u. i. l.,

ROSEN.

No. 25.

Mr. Bayard to Mr. Tree.

No. 5.] DEPARTMENT OF STATE,
Washington, January 2, 1889.

SIR: On the 3d of December, 1888, Mr. Henry L. Muldrow, the Assistant Secretary of the Interior, wrote to the Department transmitting a letter from the Hon. Henry S. Foote, one of the commissioners of the supreme court of California, inquiring what steps might be necessary to obtain from the Russian Government permission for a native of Russian Poland, who left that country thirty-five years ago and now resides in California, to revisit his native land without molestation.

On the assumption that the person in question had become a citizen of the United States, Mr. Muldrow was informed on the 7th of the same

month, that the good offices of the minister of the United States at St. Petersburg might, under the circumstances narrated, be availed of to present to the Russian Government unofficially a statement of the facts with a favorable recommendation; but that, in order to effect this, it would be necessary for the applicant to furnish to this Department a formal statement of his case, duly verified by affidavit, with proof of his American citizenship.

In accordance with this suggestion, Mr. Muldrow has now sent to the Department, under date of the 27th ultimo, a petition from Mr. Adolph Kutner, the person in question, together with a duplicate of his certificate of naturalization, and a further letter from Mr. Foote in regard to the subject.

On the 27th of December, the Department having also received from Mr. Morrow, a Member of Congress from California, a communication on the subject, addressed inquiries to the Russian legation in this city, asking whether they could furnish a safe conduct for Mr. Kutner to enable him to return to his native place. In reply the Department received from Baron Rosen, the Russian chargé d'affaires at this capital, a note stating that his legation had no power to issue such safe conduct; but adding that it was open to Mr. Kutner to petition the minister of the interior for the permission he sought.

The whole correspondence is now transmitted to you with instructions to bring the matter unofficially to the attention of the Russian authorities, urging the exceptional circumstances of the case, the departure of the applicant from Russia at an early age, his long residence in the United States, the good character which he appears to bear in the State of his residence, and the temporary nature of his intended visit to Poland.

I am, etc.,

T. F. BAYARD.

[Inclosure 1 in No. 5.]

Mr. Muldrow to Mr. Bayard.

DEPARTMENT OF THE INTERIOR,
Washington, December 3, 1888.

SIR: I have the honor to inclose herewith a personal letter from a friend in California. I will be obliged if you will give me such information upon the subject thereof as will enable me to reply to him satisfactorily.

Very truly yours,

H. L. MULDROW.

[Inclosure in Mr. Muldrow's letter.]

SAN FRANCISCO, *November* 26, 1888.

DEAR SIR: There is an esteemed friend of mine here at Fresno, in California, who is a banker and a man of wealth. He has been especially kind to Mississippi boys who have come out here, and I have gotten him to give them employment. He is from Russian Poland; left there when he was sixteen years of age, thirty-five years ago.

He is afraid that he may be subjected to military service should he return, and for that reason wishes to get an amnesty or pardon from the Russian Government for avoidance of military duty, and permission to revisit his native land, free from molestation, and allowed to return.

Can you tell me of any method by which such a thing can be accomplished? The man is willing to pay whatever may become necessary in a square way to get the necessary papers. I write you as a friend, not as an official.

I am yours ever,

H. S. FOOTE.

HON. HENRY L. MULDROW, etc.

[Inclosure 2 in No. 5.]

Mr. Rives to Mr. Muldrow.

DEPARTMENT OF STATE,
Washington, December 7, 1888.

SIR: I have to acknowledge the receipt of your letter of the 3d instant, in which you enclose a letter from the Hon. Henry S. Foote, one of the commissioners of the supreme court of California, who inquires as to what steps may be necessary to obtain from the Russian Government permission for a native of Russian Poland, who left that country thirty-five years ago and now resides in California, where he is engaged in business, to revisit his native land without molestation.

It is presumed that the person in question has become a citizen of the United States. If this be so, the good offices of our minister at St. Petersburg might, under the circumstances narrated to you, be availed of in presenting to the Russian Government, unofficially, a statement of the facts, with a favorable recommendation. In order that this might be done, it would be necessary for the applicant to furnish to this Department, a formal statement of his case duly verified by affidavit with proof of his American citizenship.

* * * * * * *

I have the honor to be, sir, etc.,

G. L. RIVES.

[Inclosure 3 in No. 5.]

Mr. Muldrow to Mr. Bayard.

WASHINGTON, *December 27*, 1888.

SIR: Referring to my communication of December 3, 1888, enclosing letter from Hon. Henry S. Foote, of San Francisco, California, asking your intercession in behalf of Mr. A. Kutner, a native of Russian Polland, but a naturalized citizen of the United States, who left Europe at the age of sixteen, and has resided in this country for the last thirty-five years, and who desires to visit his family in the home of his childhood, I would respectfully submit the inclosed certificate of naturalization of the applicant and the accompanying petition asking your unofficial intercession in his behalf.

Very respectfully yours,

H. L. MULDROW.

[Inclosure in Mr. Muldrow's letter]

SAN FRANCISCO, *December 18*, 1888.

DEAR SIR: I am under deep obligation to you for your prompt application to the State Department, in pursuance of an inquiry I lately addressed you relative to the revisiting of Mr. A. Kutner of his native province of Russian Poland. I inclose to you a petition sworn to by Mr. Kutner, and addressed to the honorable Secretary of State, with his certificate of naturalization as a citizen of the United States, and of the State of California. I would further state that Mr. Kutner is a law-abiding citizen, of Hebrew birth in the Guberina of Warsbaoska in Russian Poland. That he came to this country when sixteen years of age, and has by industry and honesty attained wealth and a high character for probity and honor. His only reason for revisiting his native land is to see his relations there, and to conduct himself in all respects as an American citizen should under such circumstances, if the Russian Government shall be graciously pleased to accord him permission (without any molestation for any supposed violation of his duty as a subject in leaving that Empire at the early age of sixteen years, and residing in the United States of America for the past thirty-five years) to revisit the land of his birth.

I desire through you and for Mr. Kutner, to solicit the good offices of our Government in behalf of this estimable man, to be exercised towards the ruling powers of the Russian Government in his behalf in an unofficial manner, to the end that his request and entreaty may be allowed.

I am, etc.,

HENRY S. FOOTE.

Hon. H. L. MULDROW, etc.

N. B.—I earnestly request that this matter may be pressed to an early conclusion, as Mr. Kutner will sail from New York for Europe in March, and, unless this amnesty is accorded him, will not be able to visit his relations at all, as without permission he could not do.

H. S. F.

[Inclosure 1 in Mr. Foote's letter.]

UNITED STATES OF AMERICA, STATE OF CALIFORNIA,
City and county of San Francisco, ss:

Be it remembered that on the sixth day of September, in the year of our Lord one thousand eight hundred and fifty-nine, Adolph Kutner, formerly of Wierbchow, Russia, appeared in the fourth judicial district court of the State of California, held in the city and county of San Francisco (a court of record having common law jurisdiction, a clerk, and a seal), and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of Congress of the United States of America for that purpose made and provided. And the said applicant having produced to the said court such evidence, having made such declaration and renunciation, and having taken such oaths as are by the said acts required:

Therenpon it was ordered by the court that the said applicant be admitted, and he was accordingly admitted to be a citizen of the United States of America.

In testimony whereof the seal of the superior court is hereunto affixed [said court being the successor of said district court] this eighteenth day of December, one thousand eight hundred and eighty-eight, and in the one hundred and thirteenth year of the independence of the United States.

Per Curiam.

[SEAL.]

WM. J. RUDDICK, *Clerk.*
By J. B. MARTIN, *Deputy Clerk.*

[Inclosure 2 in Mr. Foote's letter.]

Hon. THOMAS F. BAYARD,
Secretary of State of the Government of the United States of America.

Your petitioner, Adolph Kutner, born a citizen of Russian Poland, in the Guberina Warbaoska, would respectfully represent, that some time about the year A. D. 1853, when he was of the age of sixteen years, he emigrated to the United States of America, and on the 9th day of September, A. D. 1859, he was duly naturalized and thenceforward became a lawful citizen of the United States aforesaid, and of the State of California.

He is now engaged in merchandising in said last mentioned State, and is desirous of being permitted to return to that part of Russian Poland in which is situated the city of Warsaw, in order that he and his wife and children who may accompany him may be permitted to revisit their relatives and friends.

His desire is simply to make this visit of a few weeks, or such other short time as may be accorded to him by the Government of His Majesty the Emperor of Russia.

He wishes to travel unmolested through the dominions of His Majesty as aforesaid, both going and returning, and to sojourn for a short time in Russian Poland unmolested and free from any duty of a military or other character which might be esteemed on the part of the Russian Government to be due from him as a person born within the dominion of the Russian Empire.

His only wish being to conduct himself in all respects as a peaceful and law abiding American citizen, loving the land of his birth, and his relations there, and wishing to enjoy their society for a brief season at a time when old age is creeping fast upon him.

If it please the Honorable Secretary, as the representative of the State Department of the Government of the United States, under the direction and permission of his Excellency the President of the United States, and under the permissive laws of the Congress, to request from the government of his Majesty the Emperor of Russia, that he will extend a gracious permission to your petitioner to revisit as heretofore set forth, unmolested, the land of his birth, and to return free from arrest or interference as a law abiding citizen of the United States, your petitioner will rest under a great load of gratitude and respect.

And your petitioner will ever pray, etc.

ADOLPH KUTNER,

Subscribed and sworn to before me, at San Francisco, California, December 18, 1888.

[SEAL.]

GEORGE T. KNOX,
Notary Public.

No. 26.

Mr. Tree to Mr. Bayard.

No. 13.] LEGATION OF THE UNITED STATES,
St. Petersburg, February 1, 1889. (Received, February 18.)

SIR: I have the honor to acknowledge the receipt of your instruction No. 5, of the 2d ultimo, with reference to the visit which Mr. Adolph Kutner, a former Russian subject, desires to make his native country with his family, if unmolested by the Russian authorities.

I have sounded Mr. de Vlangaly, the adjunct of the ministry of foreign affairs, and he advised that a note be addressed to the minister, giving the points of the case, who would refer it to the minister of the interior, under whose jurisdiction such matters come, with a recommendation for the indulgence of the Imperial Government.

Mr. de Vlangaly also expressed the opinion that unless something comes out in the investigation into the antecedents of Kutner, the desired permission to make a visit to Poland may be granted.

I have, therefore, addressed an informal note to Mr. de Giers concisely stating the facts and expressing the hope that Mr. Kutner's wish may be gratified. I inclose a copy of the note herewith. I do not well see that anything more can be done in the matter at present.

I have, etc.,

LAMBERT TREE.

[Inclosure.]

Mr. Tree to Mr. de Giers.

LEGATION OF THE UNITED STATES,
St. Petersburg, February 1 [*January* 20], 1889.

YOUR EXCELLENCY: I venture informally to bespeak the good offices of Your Excellency on behalf of Mr. Adolph Kutner, who was born in the Guberina Warbaoska Russian Poland, left there about the year 1853 when sixteen years old, has been since residing in California, of which State, under our law, he became a naturalized citizen on the 9th of September, 1859, and who now desires to return for a few weeks to that part of Russian Poland in which the city of Warsaw is situated with his wife and children to visit his relatives and friends who may still survive.

Mr. Kutner is now a banker at San Francisco. He has acquired wealth and the esteem of the community in which he resides. The highest testimonials as to his character and standing have been forwarded to me with his request for permission to come to and return from Poland unmolested after such sojourn as it may please the Imperial Government to grant to him.

I should be very much pleased if Mr. Kutner's wish could be gratified.

I profit by the occasion to renew, etc.,

LAMBERT TREE.

No. 27.

M. Powdermaker to Mr. Blaine.

PHILADELPHIA, *March* 11, 1889.

DEAR SIR: I beg to inclose you a clipping from a Philadelphia paper, relating to Herman Kempinski (a school friend of mine) doomed to exile in Siberia. He being an American citizen, I presume you are aware of the facts in the case, and have no doubt you will do what is proper to uphold the honor of American citizenship and defend his

rights abroad, particularly as he holds the passports of his adopted country, issued to himself and family by ex-Secretary of State Mr. Bayard, and trust you will make a formal demand of the Russian minister at Washington for his release.

The idea of subjecting an American citizen to such a fearful fate as banishment to exile in Siberia is an outrage on the national honor which should demand immediate action.

He is entitled to the protection guarantied him in his passport, and I pray you to use your utmost influence in this matter, and your humble servant will be forever thankful to you, sir.

Yours, very respectfully,

M. POWDERMAKER.

S.

P. S.—The town where Kempinski is incarcerated at present is Konin, Guberina Wabaoska, Russian Poland.

[Inclosure.]

DOOMED TO EXILE IN SIBERIA.—INTERNATIONAL COMPLICATIONS MAY RESULT OVER A BRIDGEPORT RESIDENT.

BRIDGEPORT, CONN., *February* 26.

From a letter received Saturday night by Samuel Loewith, an agent for German steam-ship lines here, it appears that Herman Kempinski, formerly a resident of this city, has been imprisoned in Russia, is condemned to exile in Siberia, and is awaiting banishment to that dreary country.

From the purport of the letter, which was penned by the wife of the unfortunate man, the charges against Kempinski are evasion of the military service required of every Russian subject. Kempinski was born in Russsia but left that country at the age of seventeen, knowing that he was a military subject, and that his departure entailed penalties.

He came to New York City, and found his way West, finally settling among friends from Russia who had preceded him in Peoria, Ill. In 1873 he came to this city and engaged as a grocer's agent, buying in New York for regular dealers here. He was naturalized and became a citizen of the United States in 1875; voted in 1876 for President, again in 1880 and 1884, and exercised all the rights as a suffragist. He was well known here and in the vicinity as an enterprising, honest man.

In April, 1888, Kempinski closed his business, and accompanied by his wife and two children, started to visit his parents in the town of Konin, Russia, arriving safely. It is said that, being an American citizen, he felt no fear that his alleged crime of evading military duty in his youth would now be remembered against him, but he was mistaken. On the day before last Christmas, at his father's house, while preparations for the great festival were in progress, officials descended upon him, arrested and placed him in prison. The first news of this affair reaching here had coupled with it the assertion that the prisoner had uttered treasonable remarks against the Russian Government, but proved to be groundless, the only charge upon which the arrest was made and the awful fate pronounced being that already stated. The date fixed for the banishment is May 1, 1889. Mrs. Kempinski writes that she has exhausted all the means in her possession to effect the release of her husband, and that unless she is aided by friends, the edict of the Russian court will be executed on the date named. From this it would appear that the only recourse now left is with the Government of the United States.

Secretary Bayard issued passports to Kempinski and his family when they sailed from New York, but in the short time now remaining to him in office, it is doubtful if anything can be done until after March 4, and his successor is appointed.

Messrs. Loewith and Bernard Klein, warm friends of the condemned man, will visit Washington during inauguration week and remain until some course of action is deided on, as it is now conceded that only through the Secretary of the United States an any show of relief for the man be assured.

No. 28.

Mr. Klein to Mr. Blai

To the honorable Department of State, Washington, D. C.:

The petition of Herman Kempinski, of the city of Bridgeport, county of Fairfield, and State of Connecticut, by his attorney, Jacob B. Klein, of said Bridgeport, respectfully represents: That he was born in Konin, in the Empire of Russia, in the year 1854. That in July of year 1872 he left Russia and came to the United States, arriving at New York City July 24, 1872, and immediately came to Bridgeport, Conn., and remained there for about eleven months. At the end of said time he went to Peoria, in the State of Illinois, where he was married on or about August of the summer of 1873. He remained there until the spring of 1874, when he removed to Bridgeport, Conn., with his wife, and resided there since that date until on or about May 12, 1888. From the time of his arrival in Bridgeport, Conn., to the date of his departure for Russia he had in every way conducted himself as a worthy and exemplary citizen. He was in the mercantile business, and by close attention thereto had saved quite a sum of money. He has two children, Sadie, aged about twelve years, and Belle, aged eight years, both of which were born in this city. On the 7th of November, 1875, he was initiated into Stuben Lodge No. 83, Independent Order of Odd Fellows, and on April 28, 1875, he became a member of Abraham Lodge No. 89, Independent Order B'nai B'rith, of which two great benevolent orders he is still a member in good standing.

On February 28, 1883, he appeared before the court of common pleas for Fairfield County, in session at Bridgeport, in said State of Connecticut, the same being a court of record, and on oath did declare that it was bona fide his intention to become a citizen of the United States and to renounce all allegiance and fidelity [to] every foreign prince, potentate, state, and sovereignty, whatever, and particularly to the sovereign of Russia (declaration annexed). On the 27th day of January, 1888, he again appeared before said court, on oath did absolutely and entirely renounce and adjure all allegiance and fidelity to every foreign prince, potentate, state, and sovereignty whatever, and he also declared on oath that he would support the Constitution of the United States of America (exhibit annexed), and thereupon by act of said court was made a naturalized citizen of the United States. He was made an elector of the town of Bridgeport, March 24, 1888, and voted at the annual municipal election held the 2d day of April, 1888, casting his ballot in Ward One. (See exhibit annexed.) That for some months prior to the 1st of January, 1888, his parents, who are residing in Konin, Russia, had written to him asking and requesting that he and his family, consisting of a wife and two minor children, visit them before they (his parents, and who were quite aged) died. With this idea in view only, to wit: to visit his parents, he procured tickets for himself, wife, and two children, on or about May 12, 1888, for the steamer *Hammonia*, of the Hamburg-American Packet Line Company, and sailed from New York May 31, 1888. Prior to this, however, in April, 1888, he made application to the honorable Department of State for a passport giving such facts as were requisite and the same was issued and granted to him, being duly signed by the Hon. Thomas F. Bayard, then Secretary of State. After the usual length of time required for his journey he arrived at Konin, Russia, his native city. His intention was to return to this country in the course of a few months, but at the urgent solicita-

tion of his parents decided to remain until May, 1889. At no time during his absence has he intended to remain abroad, but has at all times intended to return to this country and remain a citizen thereof.

In fact he often stated to the undersigned, during the course of a number of conversations had with him, the said undersigned, that he (Kempinski) intended returning before the Presidential election of 1888, and just prior to his leaving for Russia instituted a suit in assumpsit against one Peter Brown in this city, which said suit is now pending before the court of common pleas for Fairfield County, and appears upon the docket of said court. (See exhibit annexed hereto.)

He also left with the undersigned, just prior to his departure, a number of accounts to be collected, and told the undersigned to keep the avails therefrom until his said return, and not to send it to him at Russia, for he intended and expected to return before November 1, 1888. On the 24th of December, 1888, he was arrested by the Russian authorities at Konin and taken to Kalisch and imprisoned, where he is at present held, for the reason, as the undersigned is informed (see letter addressed S. Loewith, herewith annexed), for not reporting for military duty after his arrival into the United States. He is to remain at Kalisch until May 1, 1889, and without even the semblance of a trial, is to be exiled to Siberia May 1, 1889, unless this Government interferes. His wife has expended almost all of her means to procure his release, but so far without success.

The undersigned would most earnestly and respectfully ask this honorable Department to use its utmost endeavors so as to procure the immediate release of the said Kempinski, so as to allow him to return to the country of his adoption.

JACOB B. KLEIN.

Witnesses:
WILLIAM CROUCH.
THEODORE HUGO.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, *A. D.* 1889.

On this day personally appeared Jacob B. Klein, who, after having read the above, made solemn oath that the statements of facts therein contained are true, to the best of his information, knowledge and belief.

Before me:

[SEAL.] SIGMUND LOEWITH,
Notary Public for the State of Connecticut,
residing in the town of Bridgeport.

[Inclosure 1.]

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, 1889.

On this 12th day of March, A. D. 1889, personally appeared before me, a notary public in and for the aforesaid county and State, duly authorized to administer oaths, Sigmund Loewith, aged thirty-four years, a resident of Bridgeport, in the county and State aforesaid, whose post-office address is 33 Bank street, in said Bridgeport, and who, being duly sworn, deposes and says:

That he is well and personally acquainted with Herman Kempinski, who is now imprisoned in Kalisch, Russia, and has been for the past sixteen years; that he well remembers when said Kempinski first arrived in Bridgeport from Europe, and that said Kempinski left the city, and after a few months of absence he again returned here and brought a wife with him, and remained here until about May 15, 1888, when he made preparations for a visit to Europe. During all the sixteen years' acquaintance with said Kempinski affiant saw him nearly every day, and always found him to be a worthy and honorable law-abiding citizen.

Deponent further says that some time during the month of March, 1888, said Kempinski called on affiant, who is agent for European steam-ship companies in this city, for information in regard to purchasing passage on the Hamburg line steamers for Europe. Deponent asked Kempinski, "Do you really mean to go to Europe?" Kempinski answered, "Yes. Just look at and read this letter; you will see what my parents say, and if you were in my place would you not go to Europe also and satisfy the wish of your parents?" Deponent answered, "I do not care to read the letter; I am satisfied with what you say is true, and I would always satisfy and fulfill the wish of my parents." Deponent then asked Kempinski how long he intended to remain in Europe, whereupon he answered: "I think you will see me again before the Presidential election of 1888, in time to vote. Should I not come then, I will surely be with you at Bridgeport very soon thereafter."

Deponent further says that on the 12th day of May, 1888, said Kempinski called at his office and purchased passage for himself, his wife, and his two children for Hamburg, to sail on board the steam-ship *Hammonia* on the 31st day of May, 1888. At the same time made arrangements as to how he should telegraph to deponent in case he wished to have return passage tickets sent to him to Russia.

Deponent said: "You telegraph me thus: 'Loewith, Bridgeport, Conn., America. Send tickets.'" At the same time Kempinski said: "You watch for a telegram about October next."

Deponent further says that on the 31st day of May, 1888, he was aboard the steamship *Hammonia*, of the Hamburg line, at her dock in Hoboken, N. J., and saw Kempinski and his family until the steamer left the dock, and the last words Kempinski said to him were: "In six months, or sooner, you can meet me here again. Farewell." Since Kempinski is in Europe, deponent received several letters from him, which are hereto annexed, and in every one he asked deponent to send to him (Kempinski) the cabin plans and price-lists of the Hamburg and Bremen steamers for return passages, so that he could secure room in a good location on the steamer.

Deponent further says that Kempinski told him that during his absence he would leave his business, which he had left unfinished, in the hands of his attorney, J. B. Klein, to attend to.

SIGMUND LOEWITH.

In the presence of:
WILLIAM H. COMLEY,
EDWARD J. HUBBORD.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, 1889.

Sworn to and subscribed before me on this 12th day of March, A. D. 1889.
[SEAL.]
JACOB B. KLEIN,
Notary Public for the State of Connecticut, residing at Bridgeport.

[Inclosure 2.]

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, CONN., *March* 12, 1889.

On this 12th day of March, 1889, before me, the subscriber, a notary public in and for the State of Connecticut, residing in said Bridgeport, personally came William Crouch, of said Bridgeport, who, being of lawful age, after being cautioned and sworn, did depose and say: That he has been acquainted and personally known Herman Kempinski, of Bridgeport, Conn., now imprisoned at Kalisch, Russia, for the past twelve years.

That in March, 1888, he was acting as one of the registrars of Ward One in the city of Bridgeport.

That while engaged in said registration during said month of March, 1888, he called at the house of Herman Kempinski, at which time the said Kempinski in substance told him that he was going with his family to visit his parents in Russia, but that he would return to take part in the Presidential election of that year without fail.

WILLIAM CROUCH.

In the presence of—
J. B. KLEIN,
A. BOGG.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, 1889.

Sworn to and subscribed before me this 12th day of March, A. D. 1889.
[SEAL.]
JACOB B. KLEIN,
Notary Public for the State of Connecticut, residing in the town of Bridgeport.

[Inclosure 3.]

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, 1889.

On this 12th day of March, 1889, before me, the subscriber, a notary public for the State of Connecticut, residing in said Bridgeport, personally came William H. Harty, of said Bridgeport at present, and for more than one year last past one of the deputy collectors of internal revenue for this district, who, being of lawful age, after being cautioned and sworn, did depose and say: That he had a desk in the office of S. Loewith, of said Bridgeport, during the early part of the month of May, 1888; and that Herman Kempinski, of said Bridgeport, now imprisoned at Kalisch, Russia, and whom he has known for the past sixteen years, came into said office for the purpose of purchasing tickets to Europe; that he was present during his (Kempinski's) negotiation for the same when the following conversation took place between the said affiant and the said Kempinski: "Well, Herman," said your affiant, "are you going to leave us?" "Yes," said Kempinski, "I am going to Russia to visit my parents; they are quite anxious to see me and my family before they should die." Your affiant then said: "Well, how long do you intend to remain over there?" and Kempinski answered: "I shall return before November, so as to take part in the Presidential election of 1888. I have left my matters in the hands of lawyer Klein," meaning Jacob B. Klein, "and he will attend to them during my absence."

WILLIAM H. HARTY.

In the presence of—
FLORENCE M. HARTY,
THEODORE HUGO.

Sworn to and subscribed before me on this 12th day of March, A. D. 1889.

[SEAL] JACOB B. KLEIN,
Notary Public for Connecticut, residing in Bridgeport.

[Inclosure 4.]

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, CONN., *March* 12, 1889.

On this 12th day of March, 1889, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Sigmund Kupfor, a resident of said city of Bridgeport, and State of Connecticut, whose post-office address is 31 Elm street, who, being of lawful age, and being duly cautioned and sworn, did depose and say: That he has been well and personally acquainted with Herman Kempinski ever since the year 1875. That on or about the 1st day of March, 1888, the said Kempinski showed affiant a certain letter written by the parents of said Kempinski, which letter requested the said Kempinski to visit them (his parents). They stated in said letter that they were quite aged, and wished to see him before they died. That Kempinski then told your affiant that he intended to visit his parents in Russia and take his family with him, and that he would return in the course of a very short time.

SIGMUND KUPFOR.

In the presence of—
SIGMUND LOEWITH.
JACOB B. KLEIN.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, CONN., *March* 12, *A. D.*, 1889.

On the above day, personally appeared Sigmund Kupfor, the above mentioned affiant, and made solemn oath that the above statements so made by me are true.

Before me,

[SEAL.] JACOB B. KLEIN,
Notary Public for the State of Connecticut, residing in the town of Bridgeport.

[Inclosure 5.]

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT. *March* 11, 1889.

On the 11th day of March, A. D. 1889, personally appeared before me, a notary public for and in said county and State, duly authorized to administer oaths, Eugene J. Line-

han, of the firm of E. & J. Linehan, of said Bridgeport, whose post-office address is 137–141 Myrtle avenue, in said Bridgeport, and declares under oath as follows:

That he is the senior partner in the grocery business under the above-said firm of E. & J. Linehan, and is well and personally acquainted with Herman Kempinski (who is now imprisoned at Kalish, Russia), and of this city, and has been for the past nine years, and has done business with him for the past five years. During that time he was quite intimate with him. On or about the month of March, 1888, said Kempinski told affiant that he would visit his parents, who are living in Russia, and that he would give up his business for the time he would be on said visit, and that he would remain away for about four or five months, or perhaps a little longer, but would surely return to this city and resume his business career as heretofore, and also asked him, the said affiant, to keep his custom as before, which letters, hereto annexed, affiant states he received from said Kempinski, affirm.

He further declares that he always, during his acquaintance with said Kempinski, found him to be a worthy, honorable, and square-dealing citizen, and a creditable person.

EUGENE J. LINEHAN.

In presence of—
THOMAS HOGAN.
JAMES GREGG.

Sworn to and subscribed before me this 12th day of March, A. D. 1889.
[SEAL.]
SIGMUND LOEWITH,
Notary Public for the State of Connecticut, residing at Bridgeport.

[Inclosure 6.]

STATE OF CONNECTICUT, *County of New Haven, ss:*

On this 12th day of March, A. D. 1889, personally appeared before me, a notary public in and for the State of Connecticut, duly authorized to administer oaths, Annie, wife of Henry Rogowski, aged thirty-three years, a resident of New Haven, in the county of New Haven and the State of Connecticut, whose post-office address is No. 36 Whitney avenue, New Haven, Conn., and who being duly sworn declares as follows:

That she is well and personally acquainted with Herman Kempinski, who is now imprisoned at Kalish, Russia, a citizen of Bridgeport, Conn., for the past seventeen years; has first met him at Konin, Russia, while on the way to America on or about the 2d of July, 1872, whence they sailed for the United States on the steam-ship *Holsatia*, of the Hamburg line, and arrived at New York on the 24th day of July, 1872, and the next day they went to Bridgeport, Conn., where said Kempinski remained about eleven months; during all that time, while in said Bridgeport, Kempinski was employed at the Howe Sewing Machine Manufacturing Company's and boarded with affiant's brother, Mr. Max Kantrowitz, who now resides in New York City. Said Kempinski left Bridgeport about June, 1873, and went to Peoria, Ill., where he married his wife, and in the spring of 1874 said Kempinski with his wife returned to Bridgeport, Conn., again. Affiant met said Kempinski quite often then, and knows that he resided in Bridgeport until May, 1888. She further declares that said Kempinski was about seventeen years old when she first met him at said Konin, Russia; she derived her knowledge as to his age by his telling her at the time they traveled to this country.

Deponent further declares that some time during the winter of 1888 said Kempinski visited her at her residence at New Haven, and told her that he received a letter from his parents wherein they urged him to come to visit them, before they die, and that he would go as soon as he could sell out his business, and that he would sell all his household goods if he could get fair compensation, and if not, he would store it until he would return again to Bridgeport, in about six months or sooner, should he not like it in Europe while on this visit.

Deponent further declares that some time during the month of April, 1888, said Kempinski called at her residence again, for the purpose of bidding her farewell, and at the same time again said that "within six months you will see me here again." He also said that he was offered good prices for his household goods, and that he has sold them nearly all, and that his business and his stock of goods had also been nearly disposed of.

ANNIE ROGOWSKI.

Witness:
MARCIE L. PECK.
ANNIE HERZ.

Sworn to and subscribed before me this 12th day of March, A. D., 1889, and I hereby certify that the contents of the above declaration were fully made known and explained to the affiant and witnesses before swearing, and that they are respectable and entitled to credit.

[SEAL.]

SIGMUND LOEWITH,
Notary Public for Connecticut.

Certificate on file.

[Inclosure 7.]

STATE OF CONNECTICUT, *County of Fairfield, ss :*

BRIDGEPORT, *March* 12, *A. D.* 1889.

On this 12th day of March, 1889, before me, the subscriber, a notary public for the State of Connecticut, residing in said Bridgeport, personally appeared Bernhard Klein, of said Bridgeport, who being of lawful age, and being duly cautioned and sworn, did depose and say: That he is the secretary of Abraham Lodge, No. 89, of Bridgeport, Conn., Independent Order of B'nai B'rith, and that he is well and personally acquainted with Herman Kempinski, of Bridgeport, now imprisoned at Kalish, Russia, and has known him for the sixteen years last past. That the said Kempinski joined and became a member of said Abraham Lodge on the 28th day of April, 1875, as appears by the records and minutes of said lodge, and is at present a member in good standing.

BERNHARD KLEIN.

In the presence of—
FRANK C. BENNET,
J. B. KLEIN.

STATE OF CONNECTICUT, *County of Fairfield, ss :*

BRIDGEPORT, *March* 12, *A. D.* 1889.

Sworn to and subscribed before me this 12th day of March, A. D.

[SEAL.]

JACOB B. KLEIN,
Notary Public for the State of Connecticut, residing in the town of Bridgeport.

[Inclosure 8.]

STATE OF CONNECTICUT, *County of Fairfield, ss :*

BRIDGEPORT, *March* 12, *A. D.* 1889.

On this 12th day of March, 1889, before, me the subscriber, a notary public for the State of Connecticut residing in said Bridgeport, personally came Peter Dusch, of said Bridgeport, of lawful age. who being duly cautioned and sworn did depose and say: That he is the Secretary of Steuben Lodge, No. 83, of Bridgeport, Conn., Independent Order of Odd Fellows, and that he has known Herman Kempinski, of Bridgeport, now imprisoned at Kalish, Russia, for the past fourteen years. That the said Kempinski was proposed for membership in Steuben Lodge in September, 1875, and received the third degree November 7, 1875, thereby becoming a regular member of said lodge, and is in good standing as such to-day, as appears by the records and minutes of said lodge.

PETER DUSCH.

In the presence of—
J. B. KLEIN.
FRANK C. BENNET.

STATE OF CONNECTICUT, *County of Fairfield, ss :*

BRIDGEPORT, *March* 12, 1889.

Sworn to and subscribed before me this 12th day of March, A. D. 1889.

[SEAL.]

JACOB B. KLEIN,
Notary Public for the State of Connecticut residing in the Town of Bridgeport.

[Inclosure 9.]

STATE OF CONNECTICUT, *County of Fairfield, ss :*

BRIDGEPORT, *March* 12, 1889.

On this 12th day of March, 1889, personally appeared before me, the undersigned, a notary public for the State of Connecticut, duly authorized to administer oaths, William R. Shelton, of said Bridgeport, clerk of the court of common pleas for Fairfield

County, the same being a court of record, who being of lawful age, after being sworn did say: That there appears among the files of said court the complaint and other papers in the case of Herman Kempinski *vs.* Peter Brown, and that the same was entered in said court the first Monday of May, 1888, and appears upon the present March, 1889, docket, number 110.

[SEAL.]

WILLIAM R. SHELTON,
Clerk of the Court of Common Pleas.

In the presence of—
J. B. KLEIN.
A. M. B. SUMNER.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT, *March* 12, A. D. 1889.

Sworn to and subscribed before me this 12th day of March, A. D. 1889.

[SEAL.]

JACOB B. KLEIN,
Notary Public for the State of Connecticut, residing in the town of Bridgeport.

[Inclosure 10.]

UNITED STATES OF AMERICA.
State of Connecticut, County of Fairfield, ss:

At a court of common pleas, holden in and for the county of Fairfield, in said State of Connecticut:

Be it remembered, that on the 27th day of January, A. D. 1888, Herman Kempinski, of Bridgeport, in said county, appeared before said court, the same being a court of record, with common law jurisdiction, a clerk, and a seal, and made application to said court to become a citizen of the United States. And upon examination first had, it being made to appear, and this court having found to their satisfaction, that the said applicant is a free male person of lawful age, an alien and subject of the sovereign of Russia; that he was born within the dominions of said sovereign; that he has resided in the United States constantly for more than five years last past, and in said State of Connecticut for more than one year last past, and that he has during all said time behaved himself as a good citizen, has a good, moral character, and is attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. It also appearing to this court that said applicant, did pursuant to the laws of the United States, more than two years before this application, appear before this court, the same being a court of record with common law jurisdiction, a clerk and seal, and on oath did declare that it was his bona fide intention to become a citizen of the United States, and to renounce all allegiance and fidelity to every foreign prince, potentate, state, and sovereignty whatever, and particularly to the sovereign above named, as by the record of said court appears.

And the said applicant, now here in this court, declares on oath that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, and sovereignty whatever, and particularly to the sovereign above named, of whom he is now a subject; and he also declares on oath that he will support the Constitution of the United States of America.

Wherefore the said applicant is hereby by this court admitted and declared to be a citizen of the United States of America.

WM. R. SHELTON,
Clerk.

I, the undersigned, clerk of the court of common pleas in and for said county, hereby certify that the foregoing is a true copy of record.

In witness whereof I hereunto set my hand and the seal of said court, the 28th day of February, 1889.

[SEAL.]

WM. R. SHELTON,
Clerk.

[Inclosure 11.]

TOWN CLERK'S OFFICE, *Bridgeport, March* 12, 1889.

I hereby certify that Herman Kempinski was admitted an elector of the State of Connecticut on the 24th day of March, 1888, as appears on the records of the town of Bridgeport.

In testimony whereof I have hereunto set my hand and affixed my official seal, this 12th day of March, 1889.

Attest:

[SEAL.]

GEORGE WATSON,
Town Clerk of the Town of Bridgeport.

[Inclosure 12.]

STATE OF CONNECTICUT, *County of Fairfield, County Clerk's Office:*

I, Samuel B. Sumner, clerk of said Fairfield County, and of the superior court in and for said county, the same being a court of record, hereby certify:

That Jacob B. Klein and Sigmund Loewith, esqs., were on the 1st day of February, 1889, duly qualified as notary publics within and for said county, having full power and authority by the laws of this State to take the acknowledgement of deeds and other instruments, and to certify the same; also to administer oaths, to take affidavits and depositions out of court, and to give certificates thereof; that full faith and credit may and ought to be given to their official acts and attestations; that I am acquainted with their handwriting, and verily believe that the signatures hereto annexed, purporting to be theirs, are their genuine official signatures, and that their terms of office will expire on the 1st day of February, 1891.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Bridgeport, in said county and State, on the 13th day of March, 1889.

[SEAL.] SAM. B. SUMNER,
Clerk.

[Inclosure 13.]

Hon. JAMES G. BLAINE, *Secretary of State:*

We, the undersigned citizens of the town of Bridgeport, County of Fairfield, and State of Connecticut, respectfully represent that we have known Herman Kempinski as a resident of said town of Bridgeport since 1873, and can certify that during all of said period he has sustained a good moral character, and has in every respect deported himself as a good citizen and loyal subject of United States Government. We are informed and believe that the statements made by him in his petition to the Department of State in relation to his seizure and imprisonment in a foreign land are strictly true, and that his application for relief is worthy of your immediate attention. We therefore respectfully and earnestly petition that your honorable Department will take the matter under careful consideration, and adopt such measures as may secure the release of Mr. Kempinski from further confinement and vindicate our national honor.

Dated Bridgeport, Conn., March 12, 1889.

Patrick Coughlin, mayor; Christopher A. Mooney, city clerk; Bernard Keating, city auditor; D. C. Peck, first selectman; George Watson, town clerk of Bridgeport, Conn.; Morris B. Beardsley, probate judge; George C. Waldo, editor Standard; Dwight Morris, ex-secretary of State; David B. Lockwood, late judge of city court; R. Jay Walsh, secretary of State commissioner; Samuel Fessenden, State's attorney; James L. Gould, editor Farmer; Hills Brothers, editors Evening Post; D. N. Morgan, president City National Bank; L. S. Catlin, senator thirteenth district; William E. Disbrow; William E. Seeley, esq., First National Bank; William H. Comley, attorney-at-law; John P. Pinckerman, captain of police; H. C. Cogswell, Housatonic Railroad Company; W. B. Hall & Co., dry goods; L. W. Eaton, merchant; J. C. Copeland, dry goods; The Copeland Bros. Co., dry goods; L. C. Prindle, editor Morning News; Charles A. Gerdenier, chief fire department; S. W. Baldwin, Commercial National Bank; H. B. Drew, American National Bank; F. N. Benham, Bridgeport National Bank; John S. Griffith, Bridgeport National Bank; Walter Goddard, collector of the port; C. F. Read, president Read Carpet Company; E. L. White, Bridgeport Paper Box Company; John J. Atkinson, Hannfore; Chester Russell, C. Russell & Co.; Charles B. Read, treasurer The D. M. Read Company; Carlos Curtis, ex-mayor city of Bridgeport, Conn.; James W. King, M. D.; James Youngs, of Youngs & Jackson; L. K. Gould, attorney-at-law; Alfred B. Beers, judge of city court; Civilion Fones, ex-mayor; Edward F. Meeker, postmaster; Henry H. Pyle, ex-mayor; John I. Phelan, city attorney; Robert E. De Forest, ex-mayor and State senator; Adam Geist, noble grand Steuben Lodge, I. O. O. F.; M. Klien & Brother, manufacturers; Alexander Hawley, Bridgeport savings bank; F. W. Marsh, of firm Marsh, Merwin & Lemmon; J. B. Prindle, Pequonnoct National Bank; E. W. Marsh, People's Savings Bank; William B. Hincks, treasurer City Savings Bank; William Griesinger, assessor of town of Bridgeport; Rowland B. Lacey, assessor of town of Bridgeport; Stephen R. Smith, ex-adjutant-general of Connecticut; John J. Hart, United States Express Company

[Inclosure A.]

KONIN, *December* 16, 1888.

Messrs. E. T. LINEHAM:

GENTLEMEN: Your letter at hand. In reply would simply state that I was very happy to hear the encouraging news, first, Eugine being married, to this I send him my best wishes and congratulate him; second, that you are doing a good business; third, that you, friend Jimmie, was lucky enough not to bet on the election. Above all, where are the Democrats? However, they had a sweet but a short life of it. Well, Jimmie, it was God's will, so we can not help it, and we got to be contented. Was very sorry to hear of Mr. Connan's misfortune. If he was as careful as you are, friend Jimmie, he would kept his wealth and knew with whom he dealt. O! Jimmie, how I would like to be there now, even if I only had Vanderbilt's fortune, only to be there, this life here is no life at all. Jimmie, keep only a good order for me, you know business is business; I will come back as poor as a church mouse. The Russian bear ruined me since my being here. I received two B'port Farmers, and I am only too anxious to read those newspapers which you mentioned for which I thank you already. If, with the help of God, I will get to the old B'port safe again I will have lots of news to tell you, for which paper would not be enough, what I went through since I got to this dam country, but after all I have to stand it until next May, please God, then I will bid them good-bye, and will remain an American citizen. Hurrah for the Stars and Stripes! It is the glorious country. Would like to send you some news form here, but there is no newspapers in circulation. With this, friend Jimmie, I will close for this time, with best regards to you, also Eugine and lady, and all my friends. If you have any occasion to see Mrs. George Curtis extend my best regards. I have no more news for this time, but by next time I hope I will have more to write you.

I hope you all had a very pleasant Thanksgiving, and enjoyed yourselves with the turkey dinner. I and my family wish you all a merry, merry Christmas, and also a happy New Year, and have good luck for the new year. I and my family are all well, and hope you are all the same. Please let us know all the news from there that you can, and how the weather is there; the weather here is very unpleasant, but no snow yet. I hope we will have a pleasant winter for my sake, so it will go by quick. Again we all send our best regards to you and all, also all my friends. I have no more to say at present time, only my children is very lonesome; they say this is a healthy country, indeed, and have nothing to do but laugh over everything they see here. Please be so kind and send me a book of court-plaster. I will pay you when I get back. You do not get anything like it here. By right you might as well say you do not get anything here. Please do not forget the big order I send you. Again I say, hurrah for the Stars and Stripes! Good bye for this time.

I remain, your sincere friend,

HERMAN KEMPINSKI,
In Konin, Per Posen, Rush Polen.

Please extend my best regards to Peter E. Smith, and also Frank Smith, and for them to give my regards to Wolfronn Bros., Lieberum Bros., and Mr. L. Held, and also Mr. Long and family.

[Inclosure B, envelope.]

Messrs. Linnehan Bro., corner Merthle Av., Austin Str., Bridgeport, Conn., America.
From H. Kempinski, Konin, Rush Polen.

[Inclosure C.]

KONIN, *October* 18, 1888.

Mr. E. and J. LINEHAN:

GENTLEMEN: I suppose you will be quite surprised, after me being away four months, and only now have spared time to write you these few lines and let you know about our European trip, which was not a very successful one. To tell you all about it would take up too much of your time, which I am in hopes you have none to spare, busy selling groceries. In this part of the world there are different people from the American people. There is no honesty and no friendship here; in one word, they are a set of robbers, so you may know how well I like it here. I am only wishing for the time to come that the Lord may bring us safe across back to the old home, Bridgeport; then it will be enough European trips for us. News I have none to tell, only times here are miserable. Living is cheap, but nothing to get it with. We go

around in different parts of the country, but there is misery wherever we go. People here are very unfriendly and also very unkind; they would not do a favor for any one if they was to die. I wish I was settled in my own home already. It will be a good deal of work before I will see all that again done; it will take some time till that will be done. The weather here is very unpleasant, cool, chilly, rainy, and stormy; it rains the whole week. It is very cold for this month. I have no more news at present, and I hope by next year this time I will see you all ready, sure. I am sure of it. I do not intend to stay here by any means. I wish I never came here. Let us know how everything is getting along there, and how everything is, and also how the weather is there. Let us know all the news there you only can think of. We are glad when we get a letter to read, to have something to do—nothing to read or anything else. I have no more news at present. I would like to know how everything is. I would like to shake hands with you already on our arrival there. I wish it was to-day already, I would not care a bit; better to-day than to-morrow. We are all well and hope you are all the same. Next summer we will be a great deal happier than we are now, because we will be in our own home. I have no more to say. We all send our best regards to all, also to all that may ask for us. This is all for now, so good-bye. Hurrah for America! Three cheers for the Red, White, and Blue! There is no better place in the whole world. Three cheers, again, for the Red, White, and Blue! Hurrah for America! Please answer as soon as possible.

I remain, your true friend,

HERMAN KEMPINSKI.

Address: In Konin, per Posen, Rush Polen.

DEAR FRIENDS: I wish I could send you a steamer of potatoes and cabbage. In our money it is about ten cents a bushel. Please extend my best regards to Mr. Haugh and family; also John J. Rybur and family, Blakemen Bros., Shepherd, John P. Logan, John Rencle, P. Kelly, C. Dwyer, Mrs. McGovern and family, if not too much trouble, P. Lyons Ayers.

[Inclosure D, envelope.]

Messrs. Linehan Bros., corner Myrtle ave. and Auston Sts., Bridgeport, Conn., America.

[Inclosure E.]

KALISCH, *February* 7, 1889.

Messrs. E. J. LINEHAN:

DEAR FRIENDS: Your letter reached me in great misfortune, which I am very sorry to say. I was here six months and the soldiers did not do me anything. I thought I was free, but all at once they took me and locked me up on the 24th of Dec. and I am sitting yet. My family does all they can for me and we have hopes, but God knows if I will ever get free. I am half dead already. I can not stand it much longer. I expected to get ready, now, to come back with my family, if I did not have such a misfortune, but I hope everything will turn out all right, so I will be able to see you again with my family, happy once more. If there is anything to do for me, please let me know immediately. Please excuse me for not answering your letter so long, but as misfortune happened I could not help myself. I have no more news at present, only I remain, with best regards, to you; also family. My family sends their best regards to all, and hope you are all well. Please answer me immediately.

I remain, your true friend,

HERMAN KEMPINSKI.

Address: Please answer this letter to M. J. Reichmann, in Kalisch, in care of H. Kempinski.

[Inclosure F, envelope.]

Mr. E. Linehan, cor. Myrtle ave. and Austin street, Bridgeport, Conn., America.

[Inclosure G.]

HAMBURG-AMERICAN PACKET CO.

Outward passage from New York to Plymouth (London), Cherbourg (Paris), and Hamburg.

MEMORANDUM TO BE KEPT ON FILE.

No. 14282.
Date, May 12th, 1888.
Favor of Herman Kempinski and family.
Two adults.
Two children, bet. 1 and 12 years. Child under 1 year.
In the cabin, 1st class.
From New York to Hamburg.
Bought by himself.
Amount paid, $180'
Amount remitted, $162.
(Across the face in red ink:) Hamburg, May 31, 188-.

[Inclosure H.]

KALISCH, *February* 7, 1889.

Mr. LOEWITH:

Your letter has reached me in great misfortune, which I am very sorry to say. My husband was here six months and they did not do him anything. We thought he was free from the soldiers, but all at once they took him and arrested him on the 24th of December and he is sitting yet. We try all we can and have hopes, but we do not know how it will turn out yet—God knows. He is to sit until the 1st of May and then to send him off to Siberia to live there. When he gets there he is free, but till he gets there takes a long time; he would not live to get there. God forbid it should come so far. Dear friend Mr. Loewith, please be so kind and do me this favor and find out if there is not something there to do for my husband. Write to Washington and find out all you can and try to save him from such a great misfortune, and also his family two little children. What will I do with myself? My children is almost crazy; you would not know them if you seen them, they look so bad. Our pleasure trip is now to go to the prison with the eating every day, and when we get there he does not touch it; he is half dead; you would not know him; he is very dangerous sick. Please be so kind and find out all the particulars and write me an answer at once.

I will wait for your answer so I will know what to do here. Find out as quick as possible and answer immediately what I shall do—the quicker the better; so much less he will need to sit. If it goes quick, please find out exactly everything right. I will depend on you. My husband sends his best regards to you, also your wife and children, also all his friends. I and my children send our best regards to you and family, also all our friends. I hope you are all well, which we are the opposite, all sick.

I remain, your true friend,

ERNSTINE KEMPINSKI.

Address:

Please answer this letter to M. J. Reichmann, in Kalisch, in care of Kempinski. With this favor I ask your answer at once.

[Inclosure I, envelope.]

Mr. S. Loewith, 33 Bank street, Bridgeport, Conn., America.

[Inclosure J.—In German.]

(In English following)—John Burns, Wm. Hickey, Keating Bro.: I very be sure and send me the plans for the month May, on both Hamburg and Bremen lines, as I am getting ready for now. Please extend my best regards to all my friends, and oblige very truly yours,

H. KEMPINSKI,
In Konin, per Posen, Rush Polen.

[Inclosure K.—In Russian.]

(This letter was received by me in September, 1888.—S. Loewith.)

[Inclosure L. Envelope.]

Mr. Sam Loewith, No. 33 Bank str., Bridgeport, Conn., America.
From H. Kempinski. Not forget the plans of ships *Eider*, *Bremen*, and *Hamburg*.

[Inclosure M.]

MARRIAGE CERTIFICATE.

STATE OF ILLINOIS, *Peoria County*, *ss:*

I, James E. Pillsbury, clerk of the county court in and for said county and State aforesaid, do hereby certify that on the 17th day of August, A. D. 1873, Edward B. M. Brown, Rabbi, joined in marriage Mr. Herman Kempinski and Ernstine Daum, as appears of record in my office.

Witness my hand and the seal of said court at Peoria, Illinois, this 11th day of March, A. D. 1889.

[SEAL.]

JAMES E. PILLSBURY,
Clerk.

[Inclosure N.]

STATE OF CONNECTICUT, *County of Fairfield*, *ss:*

BRIDGEPORT, *March* 12, *A. D.* 1889.

I, George Watson, of the town of Bridgeport, in the county of Fairfield and State of Connecticut, being duly sworn, depose and say: That I am the registrar duly chosen to keep the records of births, marriages, and deaths in said town of Bridgeport; and I do hereby certify that the following is a true extract from the record of births in said town:

Date of birth.	Name of child.	Sex.	Number of child of mother.	Names of parents.	Color.	Residence of parents.	Age of parents.	Attending physician.
December 16, 1874.	....	Female.	1	H. Kempinski, Poland. Ernstine Daum, Poland.	White.	Bridgeport, Ct. Do.	20 21	A. H. Abernethy, M. D.

Occupation of father, mechanic.

And I further certify that I have no interest in the application of ——— for ———.

[SEAL.]

GEORGE WATSON, *Register.*

STATE OF CONNECTICUT, *County of Fairfield*, *ss:*

BRIDGEPORT, *March* 12, *A. D.* 1889.

Personally appeared the above-named George Watson, registrar of Bridgeport, and made solemn oath to the truth of the foregoing certificate by him subscribed; and I certify that I have no interest in the application of the said ——— for ———.

SIGMUND LOEWITH,
Notary Public.

Mem: According to above Kempinski would now be in his 35 year.—J. B. Klein.

No. 29.

Mr. Wurts to Mr. Blaine.

No. 18.] LEGATION OF THE UNITED STATES,
St. Petersburg, March 15, 1889. (Received April 2.)

SIR: I regret to have to report to you the arrest, three months ago, of an alleged American citizen, of the name of Herman Kempinski, in Poland, where he is still held in confinement.

The facts of the case, so far as known to me, will be found in the statement, a copy of which is herewith inclosed (No. 1.), of Mrs. Kempinski, a native American, wife of the prisoner, who called at this legation two days ago, asking help to obtain the release of her husband. Mrs. Kempinski, who was much agitated, added verbally to this account of the trouble of her husband, that he would not have returned to his native place had he not taken the precaution to inquire, through a member of his family at Kalisch, if he was free to do so, and received the assurance that there was no charge against him. Unfortunately, she has no document to prove that this assurance was given; and she is unable to say who was the official who gave it. According to her written statement her husband has not been informed of the accusation against him; but she said to me that it was supposed to be on account of his having left Poland without permission of the authorities and with the apparent object of evading military service. I told her that doubtless such was the charge, and if so, that her husband would have to stand his trial for infraction of the law of his native land; but that I hoped to be able to obtain his release, as the Russian Government was generally inclined to be lenient in the treatment of these offenses; that she need have no fears of her husband being sent to Siberia, which was a punishment never yet inflicted upon parties situated as was her husband, many similar cases having called for the intervention of this legation, and thus far never in vain; that she must have patience in waiting for the release of her husband, as the investigation had to pass through several departments of Government, which would necessarily cause delay. I pacified her as best I could and urged her return to her husband's family at Kalisch, where I would communicate to her any intelligence I might receive relating to the matter.

I then prepared a note to the imperial foreign office, a copy of which (Inclosure 2) is herewith transmitted, and taking it myself had then an interview with General de Vlangaly, adjunct of that ministry, on its subject. General de Vlangaly could give me no assurance as to the result of the investigation, but promised to have it made as soon as possible He thought that if it could be shown that Kempinski was, when he left the country, so frail and undersized as to be unfit for military service, as Mrs. Kempinski represented to me, Kempinski might possibly escape the charge of evasion of his military duties. I have written to Mrs. Kempinski to this effect.

This case is in its main points similar to a number of others that have at different times been before this legation, and I trust that the end of it will be no less satisfactory. The Russian Government has always declined to accept our holding that the naturalization as an American citizen of one of its subjects by birth absolves the individual from his duties to his native land; and on the individual venturing within its jurisdiction it is inclined to make its laws respected by arresting and bringing to trial the offender. The punishment inflicted has, however, been comparatively light, for by the letter of the law not only loss of

civil rights, confiscation of property, imprisonment and fines, but exile to Siberia might be the penalty attached to the offense of leaving the empire without previous permission of the Government, especially when the apparent object of leaving was to evade conscription in the army. In most of the cases before this legation the persons who have fallen into this difficulty on their return to Russia were, when they left, just under the age when their military service was about due, and this is not unnaturally regarded as an unfavorable circumstance.

It is unfortunate that so much time has been lost in bringing Kempinski's case before this legation, but I trust that the Imperial Government may exercise clemency in consideration of the sufferings of Kempinski and of his family during the past three months of his imprisonment.

I shall write to our consul at Warsaw to be more careful in future to report all such cases promptly to this office for such action as may be called for.

I have, etc.,

GEORGE W. WURTS.

[Inclosure No. 1.]

ST. PETERSBURG, *March* 12, 1889.

Hon. GEORGE W. WURTS,
Chargé d'Affaires of the United States at St. Petersburg :

EXCELLENCY: At your suggestion I have the honor of bringing to your notice the details concerning my husband and his arrest in Konin, Kingdom of Poland.

My husband, Herman Kempinski, left home when at the age of seventeen; his parents were very poor and he was obliged to make his way in life.

He went over to the United States in 1872, and from that time up to his return here to Russia he resided at Bridgeport, Conn.

He was engaged by the Singer Sewing Machine Factory to make shuttles, until an accident which caused him to be confined in a hospital for almost a year, decided him to abandon the work. He then started peddling, and has continued that business for the last ten years. He became naturalized about ten years ago. He married me, an American citizen of the United States, on August 17, 1873, and has had seven children by me; two of them are living. By his hard work he had succeeded in putting by some money, and came over to Russia with a view of seeing his aged parents once more. We arrived at Konin on the 23d of June, 1888, and exactly six months after, on the 24th of December, he was arrested, handcuffed, and marched off to prison at Kalisch. No reason was given, and all efforts to get him liberated have been in vain. I did not know whom to apply to. My husband's relations petitioned the Government; my brother-in-law, at great expense, went to Warsaw to consult with M. Rawicz, United States consul, but all to no avail.

I have my two children with me, do not know the language, have hardly sufficient money left to keep me living for three weeks, after which I must fall on the hands of charity, for my husband's parents are poor, and it was he who sustained them.

These are all the facts I know of, and I implore your aid.

I crave your excellency's pardon for all the trouble I am giving you, but it would be such a delight for me to see my husband once more free and safe out of this country. Allow me to reiterate the gratefulness I would have if you would attain this end.

I have the honor, etc.

MRS. A. KEMPINSKI.

[Inclosure No. 2.]

LEGATION OF THE UNITED STATES,
St. Petersburg, March 13, 1889.

YOUR EXCELLENCY: I beg to ask your intervention on behalf of an American citizen, Herman Kempinski, at present confined in prison at Kalisch, Russian Poland. The circumstances of the case, so far as known to me, are as follows:

Kempinski left his home at Konin near Kalisch, at the age of seventeen for America, to there earn a living; his parents being poor and unable to provide for him.

He reached the United States in 1872, and remained there until last summer, when he returned to his native place to visit his aged parents. Before returning to this country he caused inquiries to be made by a member of his family at Kalisch, whether he was free to come back, and the answer was favorable. This has been stated to me by Mrs. Kempinski, a native American citizen, who has brought the painful position of her husband to the notice of this legation; and Mrs. Kempinski adds that her husband would not have returned to his native town had he not been assured by the authorities that there was no charge against him. Kempinski arrived in Russian Poland on the 23d of last June, accompanied by his wife and two young children, and stayed with his parents at Konin from that date until December 24, 1888, when he was arrested, handcuffed, and marched off to prison at Kalisch, some 6 or 8 versts distant.

No reason has been given for the arrest, and all efforts of the family to get him liberated have been in vain. Mrs. Kempinski's relatives have, under advice, addressed a petition to His Imperial Majesty, through what channels I am not informed, but even in case of a favorable result, the delay in the release of Kempinski would entail great misery upon his family. Mrs. Kempinski represents her husband to be in such a state of health that a continued confinement in prison would soon have fatal consequences. His parents are poor, partially depending in fact upon the money heretofore remitted to them by their son for support. They therefore can not aid him. His resources are nearly exhausted, and his wife and children are threatened with ruin caused by the interruption of his business affairs.

I most respectfully ask your excellency to have the kindness to cause this matter to be investigated. The case is one of peculiar hardship on account of the state of health of the prisoner and the sufferings of his wife and children, deprived of their means of living. In view, also, of what Kempinski has already suffered in health and material interests, I venture to hope, even should he be found guilty of the charge against him, of which I have no knowledge, that the Imperial Government may see fit to exercise clemency and order his release.

Begging that your excellency may be pleased to give to this matter your early consideration, I avail myself, etc.

GEORGE W. WURTS.

His Excellency GENERAL DE VLANGALY,
Adjunct of the Imperial Ministry of Foreign Affairs, etc.

No. 30.

[Telegram.]

Mr. Blaine to Mr. Wurts.

DEPARTMENT OF STATE,
Washington, March 16, 1889.

Herman Kempinski, born at Konin, 1854, came to United States 1872, is duly naturalized and has continuously resided here for sixteen years, returned to Konin to visit parents last May, and in December was arrested and taken to Kalisch. It is reported he will on 1st of May be exiled to Siberia on charge of not reporting for military duty. Ask for immediate investigation, protest against the exile of a citizen of the United States, and request permission to return to the United States.

BLAINE.

No. 31.

Mr. Wurts to Mr. Blaine.

UNITED STATES LEGATION, RUSSIA,
St. Petersburg, March 17, 1889. (Received March 17.)

On 13th instant Kempinski's wife called here, giving first notice husband's arrest. I at once addressed note and interviewed foreign office, asking investigation.

(In cipher:) States that although he could not obtain release, he fears no difficulty in dealing with the case, and that there is no danger of Siberia.

WURTS.

No. 32.

Mr. Wurts to Mr. Blaine.

No. 19.] LEGATION OF THE UNITED STATES,
St. Petersburg, March 18, 1889. (Received April 2.)

SIR: I beg to acknowledge the receipt yesterday morning at 11.30 o'clock, of your telegram of the 16th instant as follows:

Herman Kempinski, born at Konin, 1854, came to United States 1872, is duly naturalized, and has continuously resided here for sixteen years; returned to Konin to visit parents last May, and in December was arrested and taken to Kalisch. It is reported he will, on the 1st May, be exiled to Siberia on charge of not reporting for military duty. Ask for immediate investigation, protest against exile of citizen of the United States, and request permission to return to the United States.

BLAINE.

My dispatch No. 18 of the 15th instant will have informed you, as well as my telegram of the 17th, that your directions to request an investigation into the case of Kempinski were anticipated on the first intelligence of his imprisonment. I have nothing yet to add to the information then given of this case, but in connection therewith it has seemed proper to me to write to the consul at Warsaw to obtain of the local authorities, if possible, at least Kempinski's temporary release on bail, in order that he may be spared the sufferings of confinement in prison; it also seemed proper to me to request the consul to promptly report in future to this office all such cases that might come to his knowledge. I inclose herewith a copy of my letter to the consul. I have moreover written to Mrs. Kempinski in regard to her statement that as her husband never could have performed military duty owing to his smallness of size and delicate constitution, he could not in leaving Russia have had the intention of evading service in the army. If Mrs. Kempinski can have this view of the case accepted by the authorities, her husband may be acquitted of the gravest charge against him. There will then remain the accusation of leaving the country without passport, but as this is a much lighter offense, the Government may discharge him with a mild punishment, such as a fine, or even take his imprisonment these last three months as sufficient amends.

I have, etc.,

GEORGE W. WURTS.

[Inclosure.]

Mr. Wurtz to Mr. Rawicz.

LEGATION OF THE UNITED STATES,
St Petersburg, March 16, 1889.

SIR: A Mrs. Kempinski has brought to the notice of this legation the arrest and imprisonment of her husband, Herman Kempinski, which took place last December at Kalisch, Poland.

In Mrs. Kempinski's statement of the case she writes that her brother-in-law went to Warsaw to obtain your aid and protection, but to no avail.

Kempinski has now been in prison since the 24th of last December and it was only three days ago that this legation had any intelligence of the matter. By your declining to look into the affair and reporting it to this office, weeks of valuable time have been lost before any steps could be taken towards effecting Kempinski's release. I regret exceedingly that you did not see fit to report the case when first informed of it, and must beg you in future to advise the legation promptly of all such cases as may arise for such action as may seem proper.

Do you think that you could do anything now for at least the temporary release of Kempinski on bail? The man is represented to be in delicate health and suffering greatly from this long confinement. The case is under investigation, but there may be a long delay in its solution. If you could obtain from the local authorities his release on bail it would be of great service.

I am, sir, etc.,

GEORGE W. WURTS,
Chargé d'Affaires.

No. 33.

Mr. Blaine to Mr. Wurts.

No. 32.] DEPARTMENT OF STATE,
Washington, April 20, 1889.

SIR: Referring to Mr. Tree's No. 13 of February 1 last, and to the terms of the informal note inclosed therewith addressed to Mr. de Giers, on behalf of Mr. Adolph Kutner, a naturalized citizen of the United States, born in Russia, I now transmit a further statement.

It seems plain from Mr. Foote's letter, a copy of which I inclose, that Mr. Kutner is a deserving person, and that the only motive of his application for the privilege of visiting Poland without molestation is a desire to see once more his aged parents. Confidently commending the case as one meriting the considerate action of his Imperial Majesty's Government.

I am, etc.,

JAMES G. BLAINE.

[Inclosure.]

Mr. Foote to Mr. Blaine.

SAN FRANCISCO, *April* 5, 1889.

DEAR SIR: Some months since I wrote to the State Department in relation to the use of its good offices with the Russian Government with a view to allow Mr. A. Kutner, a prominent and wealthy merchant of this State, to revisit unmolested his native city of Warsaw, Poland, that he might again see his aged parents.

Mr. K. had left Poland at the early age of sixteen and had not returned for over thirty years, having meanwhile become a naturalized citizen of the United States.

Upon the suggestion of the then Secretary a petition was prepared and forwarded, setting forth the necessary facts and having attached a copy of Mr. K.'s naturalization papers.

This petition was doubtless sent to the American minister at St. Petersburg, and with the request from the State Department that he use his best efforts to secure the privilege asked for.

No reply has yet been received, and poor Kutner stands outside the boundaries of Russian Poland, in Germany, accompanied by his wife and children, "his hostages to fortune," gazing, like Moses, from "Pisgah" on the promised land, and yet afraid to enter, lest, perchance, he might become suddenly drafted as an emigrant to Siberia.

I fear that our adopted citizen will have to wait a while longer unless you, the ancient friend of my honored father, Hon. H. S. Foote, formerly of Mississippi, will interfere and strike a good blow in his behalf. The gentleman is of unexceptionable

character, utterly harmless, and only desires to see his father and mother ere they pass from earth.

Will you, my dear sir, give the matter your personal attention, if you can spare the time, and oblige,

Yours, most truly,

HENRY S. FOOTE.

N. B.—The permission, if granted, can be sent to me here to be forwarded, it being a matter entirely *ex gratia* upon my part.

No. 34.

Mr. Blaine to Mr. Foote.

DEPARTMENT OF STATE,
Washington, April 20, 1889.

SIR: Your letter of the 5th instant in reference to the permission desired by Mr. Adolph Kutner, a naturalized citizen of the United States, to visit Poland, his birthplace, without molestation, is received.

The Department has sent a copy of your letter to our legation at St. Petersburg, referring to former correspondence and earnestly commending the request of Mr. Kutner to its careful attention.

It appears from Dispatch No. 13 of Mr. Tree, late minister to Russia, that the minister of foreign affairs was informally addressed on the subject, early in February last, and with some hope that the request of Mr. Kutner would be granted.

I am, sir, &c.,

JAMES G. BLAINE.

No. 35.

Mr. Klein to Mr. Blaine.

BRIDGEPORT, CONN., *April* 23, 1889.

DEAR SIR: You will perhaps recollect that I called upon you with Senator Platt and also with Hon. Simon Wolf, in relation to the matter of Herman Kempinski imprisoned at Russia.

The sentence of his exile to Siberia was to go into effect May 1 next. Will you kindly let me know the present status of the case? Our citizens here are greatly interested in the matter, and scarcely a day passes but that I am asked when Mr. K. is to be allowed to return.

Awaiting your reply,

I have, etc.,

J. B. KLEIN.

No. 36.

Mr. Wharton to Mr. Klein.

DEPARTMENT OF STATE,
Washington, April 27, 1889.

SIR: I have to acknowledge the receipt of your letter of 23d instant, and to say in reply that the Department has no later information relative to the case of the American citizen, Herman Kempinski, arrested

in Russia in December last, than was given to the press on the 4th instant. This was to the effect that the peculiar circumstances of the case favored a presumption that the matter would presently be brought to a favorable conclusion. Our chargé *ad interim* at St. Petersburg evidently considers the apprehension that Kempinski may be sent to Siberia without foundation.

I am, sir, etc.,

WILLIAM F. WHARTON,
Assistant Secretary.

No. 37.

Mr. Wurts to Mr. Blaine.

ST. PETERSBURG, *May* 12, 1889.
(Received May 12.)

Reply Kempinski's case refuses release he contumacious condemned exile 1885 for leaving Russia authorized and returning to transportation Siberia result Kempinski's petition Emperor unknown Kempinski affirms never assumed foreign nationality.

(In cipher): States that Kempinski's repudiation of American citizenship complicates the affair, and asks for instructions.

No. 38.

Mr. Wurts to Mr. Blaine.

No. 34.] LEGATION OF THE UNITED STATES,
St. Petersburg, May 12, 1889. (Received May 28.)

SIR: I had the honor to send to you this morning the following telegram conveying the substance of a note just received from the Imperial Foreign Office in relation to the case of Herman Kempinski:*

A copy and translation of this note are herewith inclosed.

The repudiation by Kempinski of his American citizenship causes me embarrassment, and I therefore asked in my telegram for instructions for such action as, in this new phase of the case, you may deem expedient to direct, if you consider it worth while to intervene further on behalf of one who seems ready to throw off our nationality as a useless garment on the first occasion when he calculates that to do so may advance his interests. Kempinski himself seems worthy of little sympathy, but for the sake of his wife and children, who are natives of our country, the inducement is great to support the petition for his pardon. The Imperial grace is his only resource for escape from deportation to Siberia. It is not improbable that it may be granted, even without our official support for, from what I learn of the execution of such sentences it rarely happens that they are fully carried out; but I shall, while awaiting instructions from you, unofficially recommend his petition to favorable consideration on account of his family. At the same time I fear that Kempinski has, in lending himself to dishonest counsels and by his disloyalty, injured his prospects for pardon. There is good

* Telegram printed immediately above.

reason to believe that he would have been allowed to leave in peace had he held manfully to the nationality of his adopted country; the result of the investigation might all the same have gone against him.

I have, etc.,

GEORGE W. WURTS.

[Inclosure—Translation.]

No. 4,556.] IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF HOME RELATIONS,
St. Petersburg, April 29 [*May* 11], 1889.

M. CHARGÉ D'AFFAIRES:

By its note of the 1st [13th] March last, the legation of the United States of America addressed the imperial ministry with the object of obtaining the release of one Herman Kempinski, described as a citizen of the United States, who had been arrested and put in prison at Kalisch.

I regret to have to inform you that the ministry of the interior has not judged it possible to comply with this request of the legation of the United States, in view of the fact that on the 18th of March, 1885, Kempinski was condemned by the court of criminal justice of Warsaw for having left Russia without having to that end had previous authorization from the competent authorities, to the loss of all civil rights and to exile, and in case of return to Russia to deportation to Siberia, and that he returned to Russia after this sentence was pronounced against him by the said court of justice.

In the month of last January the said Kempenski appealed for pardon to His Majesty the Emperor, and the result is still unknown.

I should add that Kempinski affirms that during his sojourn abroad he assumed no foreign nationality.

Accept, M. Chargé d'Affaires, etc.,

A. VLANGALY.

Mr. WURTS, &c.

No. 39.

Mr. Wharton to Mr. Klein.

DEPARTMENT OF STATE,
Washington, May 15, 1889.

SIR: In further answer to your letter of the 23d ultimo, I have to say that the Department has received a telegraphic dispatch from the United States legation at St. Petersburg, stating that the Russian Government has refused to release Kempinski.

The result of his petition to the Emperor is unknown.

The legation states that Kempinski has denied that he ever assumed foreign nationality, and adds that his sworn repudiation of American citizenship has rendered action in his behalf difficult.

Under these circumstances the Department, before sending further instructions, is compelled to await the receipt of the written report of the legation.

I am, sir, your obedient servant,

WILLIAM F. WHARTON,
Assistant Secretary.

No. 40.

Mr. Klein to Mr. Wharton.

BRIDGEPORT, CONN., *May* 28, 1889.

DEAR SIR: Your communication *in re* matter of Herman Kempinski came duly. I can not comprehend for what reason Kempinski denied his American citizenship, except, perhaps, that certain persons led him to believe that through that the Russian Government would be apt to deal more leniently with him. But even assuming he did deny it, does it alter the fact that he is an American citizen? This morning my father received a letter from her, which is herewith inclosed. The underscoring in same is mine. From said letter it would appear that the legation is of opinion that not enough was done by this Government. I, however, know this to be untrue, for when I was in Washington Mr. Secretary Blaine informed me what had been done, and to me it seemed sufficient. Will you, however, please make one more effort on behalf of this unfortunate man and his still more unfortunate family? It seems to me a most unwarranted power on the part of the Russian Government to detain K. any longer. Trusting you will do all that is possible, and thanking you very kindly for your prompt reply to my communication,

I have, etc.,

J. B. KLEIN.

KALISCH, *May* 17, 1889.

Highly respected Mr. B. KLEIN:

I must beg you to excuse me for not awaiting a reply from you. I send you a second letter, because it is impossible for me to do otherwise.

I have to inform you that I received a letter on the 16th of May from the American minister at St. Petersburg, telling me to write for help direct to America. The minister has previously told me that not enough has been done to secure the release of my dear husband, and I am consequently compelled to beg you to excuse me for giving you so much trouble. I can, however, think of no other way, and must therefore again ask you to take pity on me and my children, and to go to Washington and do everything in your power, for the minister has told me that everything possible should be done before the papers are laid before the Emperor. Success will then crown our efforts. I think that we may feel confident that the minister will do his duty in the matter. It will be a great blessing from our Heavenly Father if I can be relieved from this trouble and grief, for hot tears flow, like streams of water, from our eyes; and no wonder. I hope that you will remember my request, and that you will help me as far as you may be able. I beg you not to delay, but to do everything possible at once. I beg you once more, with all my heart, to bear this matter in mind, and trust that you will pardon the liberty that I have taken, since I knew of no other course to take. Further than this I have nothing to communicate.

I remain in the hope of soon hearing something favorable.

Very truly your friend,

E. KEMPINSKI.
H. KEMPINSKI.

Kindest regards to all friends. My children all desire to be affectionately remembered.

B. KEMPINSKI.
C. S. KEMPINSKI.

Give our best love to your dear brother and his wife, and also to their dear daughter.

THE KEMPINSKI FAMILY.

No. 41.

[Telegram.]

Mr. Klein to Mr. Blaine.

BRIDGEPORT, CONN., *June* 26, 1889.

Have just received information from Russia that Kempinski has been released. Is it true?

J. B. KLEIN.

No. 42.

Mr. Wharton to Mr. Klein.

DEPARTMENT OF STATE,
Washington, June 27, 1889.

SIR: I have received your telegram, dated yesterday, in which you state that you have just received information from Russia that Kempinski has been released, and ask whether your information is correct.

In reply, I have to say that the Department has not been advised of such action on the part of the Russian Government.

I am sir, etc.,

WILLIAM F. WHARTON,
Assistant Secretary.

No. 43.

Mr. Adee to Mr. Wurts.

No. 50.] DEPARTMENT OF STATE,
Washington, September 19, 1889.

SIR: Referring to Instruction No. 32, of the 20th April last, in the case of Adolph Kutner, a naturalized citizen of the United States, who asks the privilege of visiting Russia on a filial errand, without molestation, I now inclose a copy of a further letter from Mr. Foote, of San Francisco, by which it appears that the desired action of his Majesty's government is still awaited. Nothing has been heard from the legation on the subject since the date of the instruction named. I trust that the Department may soon be apprised of the favorable conclusions of the Russian Government if the case has the merit which the letters of Mr. Foote represent it to have.

Awaiting your early reply,

I am, etc.,

ALVEY A. ADEE,
Acting Secretary.

[Inclosure.]

Mr. Foote to Mr. Blaine.

SAN FRANCISCO, *September* 5, 1889.

DEAR SIR: Mr. Kutner, an American citizen of Polish birth, born in Russian-Poland, about whose case I wrote you some time since, and in whose behalf you have been endeavoring to obtain a favorable response from the Russian Government, is

still after weary months of waiting anxious to know if he must return to California without being permitted to see his aged parents and his native city.

If within the bounds of possibility I trust that some definite settlement of the matter may be arrived at so that he will know of a certainty what to do in the premises. The time set for his return here has almost been attained, and if permission is not soon granted it will prove of no avail. Of course, honored sir, I appreciate the delicacy and difficulty of the task imposed upon the Department and the multiplication of important matters which lie heavy on your hands, yet I still hope that something may be done to facilitate this deserving man's wishes.

I am, sir, etc.,

HENRY S. FOOTE.

No. 44.

Mr. Adee to Mr. Foote.

DEPARTMENT OF STATE,
Washington, September 19, 1889.

SIR: I have to acknowledge the receipt of your letter of the 5th instant in the case of Mr. Adolph Kutner, and to say that a further instruction in the matter of procuring for that gentleman the privilege of visiting Russia, without molestation, has been sent to St. Petersburg.

The Department is daily expecting to hear from our legation there on the subject.

I am, sir, etc.,

ALVEY A. ADEE,
Acting Secretary.

No. 45.

Mr. Adee to Mr. Wurts.

No. 51.] DEPARTMENT OF STATE,
Washington, September 20, 1889.

SIR: Adverting to previous correspondence in the case of Herman Kempinski, I herewith inclose a copy of a letter from Messrs. S. Wolf and J. B. Klein, dated the 16th instant, accompanied by the original affidavits which it transmitted and which represent that "Kempinski had been, during his residence in the United States, an honest, peaceful, and law-abiding citizen, and one who was in no wise connected or associated with any socialistic or anarchistic society."

Messrs. Wolf and Klein ask that these papers may be transmitted to the Russian foreign office, and you are instructed to comply with their wishes, explaining when doing so the circumstances under which they are forwarded.

I am, etc.,

ALVEY A. ADEE,
Acting Secretary.

[Inclosure.]

Messrs. Wolf and Klein to Mr. Blaine.

SIR: Early in March, 1889, the undersigned had the honor to personally present to you the petition of Herman Kempinski, a citizen of the United States and a resident of Bridgeport, Conn., asking the intervention of our Government on and in his behalf,

as at that time he was a prisoner in Russia, as will more fully appear from the documents on file. You at once very kindly ordered a cablegram to be sent to St. Petersburg and promised to do whatever was in your power for the protection of Mr. Kempinski. Considerable correspondence pro and con was had, when finally, on the 15th day of May, 1889, a letter addressed to Jacob B. Klein at Bridgeport, Conn., signed by the Hon. William F. Wharton, Assistant Secretary,* a copy of which is here attached. Under the circumstances, alleged in the said letter of your Department, we foresaw the difficulties surrounding the case, and that you could not act with that decision and energy had Kempinski not surrendered, as is alleged, the protection he was entitled to, to wit, citizenship. We have no desire to enter into any controversy as to the accuracy of this allegation, leaving that to the future; but the one clause contained in your letter gave us the first intimation that Kempinski had petitioned to the Emperor. Acting under this information, a correspondence was had, (secured with great difficulty), the result of which is that we are in possession of two letters, one each of Mr. and Mrs. Kempinski, wherein they confirm that a petition had been sent to the Emperor, but that no action as yet has been taken thereon, as they have been informed for the lack of evidence that Kempinski had been during his residence in the United States an honest, peaceful, and law-abiding citizen, and one who was in no wise connected or associated with any socialistic or anarchistic society. In accordance with this information we have secured from the judge of the city court, the mayor of the city, and the chief of police of Bridgeport, Conn., also from leading merchants in the city of New York with whom Kempinski dealt, affidavits duly sworn to and certified to by the Russian consul resident in New York, which we now have the honor to file, respectfully asking you to forward the same, or copies thereof, to our chargé d'affaires and acting minister at St. Petersburg, and that he be instructed to transmit the same to the minister of foreign affairs of Russia, accompanied by such a letter as in your judgment is proper, using the good offices of our Government in aid of the release of this unfortunate man whose crime, as we now know, matured after he had left Russia, as he should have reported for duty as a soldier three years after his departure from Russia and while he was residing in this country, and returned for no other purpose than to visit his aged parents—an act which all men can appreciate—and with no desire to remain a citizen of the land of his birth.

We confidently hope that to the many kind acts hitherto performed by our Government in similar cases this will not prove an exception.

We are, etc.,

S. WOLF,
J. B. KLEIN.

WASHINGTON, D. C., *September* 16, 1889.

On this 7th day of September, A. D. 1889, personally appeared William E. Marsh, of the city of Bridgeport, county of Fairfield, and the State of Connecticut, who, being of lawful age, doth depose and say: That he is at present, and has been for the past twenty-five years, chief of the police department of the city of Bridgeport; that he is acquainted with Herman Kempinski, son of Jacob Lieb Kempinski, and has known him ever since his arrival in said city. That said Kempinski during all the years while he lived in Bridgeport bore the best reputation for honesty and integrity, and that his character was of the very highest; that the said Kempinski while residing in Bridgeport committed no crime against the laws of this State or of the United States, nor has this State or country any claim upon him for any crime or misdemeanor.

Deponent further states that said Kempinski was not in any way connected or associated with any socialistic or anarchistic movement or society.

In witness whereof I have hereunto set my hand and seal on the day and year first above written.

[SEAL.]

W. E. MARSH,
Chief of Police.

UNITED STATES OF AMERICA,
State of Connecticut, County of Fairfield, ss:

BRIDGEPORT, *September* 7, A. D. 1889.

Personally appeared the above-named William E. Marsh, chief of police of the city of Bridgeport, and made oath to the foregoing affidavit before me.

SIGMUND LOEWITH,
Notary Public.

(Endorsed in Russian and signed Немерсое.)

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* Printed above.

On this 3d day of September, A. D. 1889, personally appeared Robert E. De Forest, of the city of Bridgeport, county of Fairfield, and the State of Connecticut, who, being of lawful age, doth depose and say: That he is at present the mayor of said city; that he is acquainted with Herman Chaskel Kempinski, son of Jacob Leib Kempinski, a resident of this city and an elector thereof; that said Kempinski resided in said city of Bridgeport for 16 years, and during all this time, by his good behavior and honest dealings, acquired and sustained the character and reputation of an honorable, law-abiding, and in every way excellent citizen.

Deponent further states that, to the best of his knowledge, the said Kempinski was not a member of nor in any way connected with any socialistic or anarchistic society or association of any kind; that he has committed no crime or misdemeanor against the law of this State or of the United States, but, on the contrary, was always a good, true, and loyal citizen of this country.

In witness whereof I hereunto set my hand and seal on the day and year first above written.

[SEAL.] ROBERT E. DE FOREST.

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT.

Sworn to and subscribed before me on this 3d day of September, A. D. 1889.

[SEAL.] JACOB B. KLEIN,
Notary Public, State of Connecticut.

On this 3d day of September, A. D. 1889, personally appeared Alfred B. Beers, of the city of Bridgeport, county of Fairfield, and the State of Connecticut, who, being of lawful age, doth depose and say: That he is at present and has been for the past twelve (12) years the judge of the city court for the city of Bridgeport; that he is acquainted with Herman Chaskel Kempinski (son of Jacob Leib Kempinski), of this city; that the said Herman Kempinski was one of our best citizens, and had an excellent reputation and character for honesty and integrity; that the said Kempinski committed no crime or misdemeanor against this State or the United States, nor was he a member of any socialistic or anarchistic society.

In witness whereof I have hereunto set my hand and seal on the day and year first above written.

ALFRED B. BEERS. [SEAL].

STATE OF CONNECTICUT, *County of Fairfield, ss:*

BRIDGEPORT.

Sworn to and subscribed before me on this 3d day of September, A. D. 1889.

[SEAL.] SIGMUND LOEWITH,
Notary Public.

(Endorsed in Russian and signed Немерсезое.)

On this 10th day of September, A. D. 1889, personally appeared before me Geo. P. Johnson, manager of the Diamond Match Company, doing business in the city, county, and State of New York, at No 157 Duane St., in the said city, who deposes and says that he is acquainted with Herman Chaskel Kempinski, son of Jacob Leib Kempinski, of the city of Bridgeport, county of Fairfield, and State of Connecticut; that the said Kempinski has been purchasing merchandise from the said Diamond Match Company, and that his dealings with the said company have always been strictly honorable.

THE DIAMOND MATCH COMPANY,
By GEO. P. JOHNSON, *Manager.*

UNITED STATES OF AMERICA,
State of New York, County of New York, ss:

NEW YORK CITY, *Sept.* 10, 1889.

Sworn to and subscribed before me on the day and year above written.

JOHN E. TILTON,
Notary Public, Kings County.

[SEAL.]
Certificate filed N. Y. Co.

(Form 4.)

STATE OF NEW YORK, *City and County of New York, ss:*

I, Edward F. Reilly, clerk of the city and county of New York, and also clerk of the supreme court for the said city and county, being a court of record, do hereby certify

that John E. Tilton has filed in the clerk's office of the county of New York a certified copy of his appointment as notary public for the county of Kings with his autograph signature, and was at the time of taking of the annexed deposition duly authorized to take the same, and that I am well acquainted with the handwriting of said notary public, and verily believe that the signature to the annexed certificate is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court and county the 10th day of Sept., 1889.

EDWARD F. REILLY, *Clerk.*

(Endorsed in Russian and signed Hemepcesoe.)

On this 10th day of September, A. D. 1889, personally appeared Byron Wilkinson, of the firm of F. Wilkinson & Co., of the city of New York, county of New York, and State of New York, doing business at No. 281 Washington street, at said New York, being of lawful age, doth depose and say:

That he is acquainted with Herman Chaskel Kempinski (son of Jacob Leib Kempinski), of the city of Bridgeport, county of Fairfield, and the State of Connecticut; that said Kempinski has been purchasing merchandise of the above firm for the past 10 or 12 years, and his dealings with said firm were strictly honorable.

BYRON WILKINSON.

UNITED STATES OF AMERICA,
State of New York, County of New York, ss:

NEW YORK CITY, *Sept.* 10, 1889.

Sworn to and subscribed before me on the day and year above written.

W. KING, *Notary Public.*

(Form 2.)

STATE OF NEW YORK, *City and County of New York, ss:*

I, Edward F. Reilly, clerk of the city and county of New York, and also clerk of the supreme court for the said city and county, the same being a court of record, do hereby certify that W. C. King, before whom the annexed deposition was taken, was at the time of taking the same a notary public of New York, dwelling in said city and county, duly appointed and sworn, and authorized to administer oaths to be used in any court in said State and for general purposes; that I am well acquainted with the handwriting of said notary, and that his signature thereto is genuine, as I verily believe.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court and county the 10th day of Sept., 1889.

EDWARD F. REILLY, *Clerk.*

(Endorsed in Russian and signed Hemepcesoe.)

On this 10th day of September, A. D. 1889, personally appeared George A. Moss, of the city of New York, county of New York, and the State of New York, who, being of lawful age, doth depose and say: That he is doing business at No. 167 Reade St., in said city of New York, and that he is well and personally acquainted with Herman Chaskel Kempinski (son of Jacob Leib Kempinski), of Bridgeport, county of Fairfield, and the State of Connecticut, and that said Kempinski has been doing business with affiant for the past 12 years. During said time and up to the time he wound up his business career, Kempinski's dealings were strictly honorable in every shape and manner.

GEO. A. MOSS.

UNITED STATES OF AMERICA,
State of New York, County of New York, ss:

NEW YORK CITY, *Sept. 10th, A. D.*, 1889.

Sworn to and subscribed before me on the day and year first above written.
[SEAL.]

JAMES WILLS,
Notary Public, N. Y. Co.

(Form 2.)

STATE OF NEW YORK, *City and County of New York, ss:*

I, Edward F. Reilly, clerk of the city and county of New York, and also clerk of the supreme court for the said city and county, the same being a court of record, do hereby certify, that James Wills, before whom the annexed deposition was taken,

was, at the time of taking the same, a notary public of New York, dwelling in said city and county, duly appointed and sworn and authorized to administer oaths to be used in any court in said State, and for general purposes; that I am well acquainted with the handwriting of said notary, and that his signature thereto is genuine, as I verily believe.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court and county, the 10th day of Sept., 1889.

EDWARD F. REILLY, *Clerk.*

(Endorsed in Russian and signed Немерсесое.)

No. 46.

Mr. Adee to Messrs. Wolf and Klein.

DEPARTMENT OF STATE,
Washington, September 20, 1889.

GENTLEMEN: I have received your letter of the 16th instant, relative to the case of Herman Kempinski, and have forwarded the original affidavits, which you sent to Mr. George W. Wurts, the chargé d'affaires *ad interim,* of this Government at St. Petersburg, with an instruction directing him to lay them before the minister for foreign affairs of Russia, with a proper explanation.

I am, gentlemen, etc.,

ALVEY A. ADEE,
Acting Secretary.

No. 47.

Mr. Wurts to Mr. Adee.

No. 57.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 7, 1889. (Received October 21.)

SIR: I have the honor to acknowledge the receipt of your instruction No. 51 of the 20th ultimo, relating to the case of Herman Kempinski, and to inform you that in obedience to your order, I have transmitted the affidavits of the respectable character of Kempinski found in your instruction to the Russian foreign office, with a note, a copy of which is herewith inclosed.

I remain, sir, etc.,

GEORGE W. WURTS,

[Inclosure.]

Mr. Wurts to General de Vlangaly.

LEGATION OF THE UNITED STATES,
ST. PETERSBURG, *September* 25 [*October* 7], 1889.

YOUR EXCELLENCY: Referring to previous correspondence in the case of Herman Kempinski who, as I learn by the note of your excellency dated April 29 [May 11] last, appealed for the clemency of His Imperial Majesty, after sentence against him for having left his native country without authorization, I have the honor to transmit herewith to your excellency, by order of the Department of State of the United States, certain papers bearing upon the present situation in this affair.

It is reported that action has not yet been taken in the petition of Kempinski for lack of evidence that during his absence abroad he had been an honest, peaceful, and law-abiding citizen, and one who was in no wise connected or associated with any socialistic or anarchistic society. The documents now inclosed herewith furnish the evidence wanting of the morality of Kempinski whilst in America; they have been obtained from the judge of the city court, the mayor of the city, and the chief of police of Bridgeport, Conn., U. S., the place of residence of Kempinski in America; as also from leading merchants in the city of New York, with whom Kempinski had business dealings; these affidavits are duly attested by the Russian consul at New York.

I beg your excellency to have the kindness to cause these documents to be brought to the attention of the authorities having charge of this matter, and I take occasion to again solicit the good offices of your excellency on behalf of the petitioner for the pardon of His Imperial Majesty.

I avail, etc.,

GEORGE W. WURTS.

No. 48.

Mr. Wurts to Mr. Adee.

No. 58.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 8, 1889. (Received October 28.)

SIR: Your instruction No. 50, of the 19th ultimo, relating to the petition of Mr. Adolph Kutner for permission to visit Russia was duly received by me, and I immediately wrote to the imperial foreign office a note, a copy of which will be found herewith inclosed. The day following I had an interview with General Vlangaly on this subject, and, referring to the various notes and frequent verbal mention made by me of the case urging its solution, I begged him to obtain the reply from the minister of the interior so anxiously awaited by Mr. Kutner. I also expressed surprise that this case had not yet, apparently, received attention at that ministry, for other cases somewhat similar had been promptly disposed of. General Vlangaly promised a speedy reply, and I trust that in case it be favorable it may be received in time to be of use to Mr. Kutner.

I have, etc.,

GEORGE W. WURTS.

[Inclosure.]

Mr. Wurts to General de Vlangaly.

LEGATION OF THE UNITED STATES,
St. Petersburg, September 25 [*October* 7], 1889.

YOUR EXCELLENCY: I am directed by the Department of State of the United States to recall your attention to the case of Mr. Adolph Kutner, a citizen of the United States, who asks the privilege of coming to Russia with the object of visiting his aged parents, the subject of the notes of this legation of January 20 [February 1], and of April 25 [May 7], last, as also of several conversations I have had the honor to have with your excellency. No reply to these notes has yet been received from your excellency, as to the conclusion that may have been reached in this matter by the Imperial Government. Mr. Kutner is still waiting in anxiety all these months since application was made on his behalf for permission to visit Russia, and there is now but a short period before him when it will become necessary for him to return to California, and if permission is not soon given it will prove of no avail. I therefore earnestly and most respectfully request your excellency to hasten the desired decision, which I trust will be favorable.

I beg your excellency to accept, etc.,

GEORGE W. WURTS.

No. 49.

Mr. Wurts to Mr. Blaine.

No. 68.] LEGATION OF THE UNITED STATES,
St. Petersburg, November 7, 1889. (Received November 23.)

SIR: Referring to my dispatch No. 58, of October 8 last, relating to the request of Mr. Adolph Kutner for permission to visit Russia, I have the honor to inform you of the receipt to-day of a note from the imperial foreign office in relation thereto. A copy and translation of this note will be found herewith inclosed, by which it will be seen that the matter is under examination by the proper authorities, and that the decision when reached will be communicated to me.

I remain, sir, etc.,

GEORGE W. WURTS.

[Inclosure.]

General de Vlangaly to Mr. Wurts.

No. 8924.] IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF THE HOME RELATIONS,
St. Petersburg, October 25 [*November* 6], 1889.

M. CHARGÉ D'AFFAIRES:

By its notes bearing date of January 20 [February 1], of April 25 [May 7], and of September 25 [October 7], of this year, the legation of the United States addressed itself to the imperial ministry with the object of obtaining for one Kutner authorization to pass a certain time in Russia for family affairs.

To-day I have the honor to inform you that the competent authorities are examining this affair and that I have not failed to request the minister of the interior to hasten action thereon.

In waiting to transmit to you in due time the reply that will be communicated to me on this subject, I avail myself of the occasion to renew, etc.,

A. VLANGALY.

No. 50.

Mr. Adee to Mr. Foote.

DEPARTMENT OF STATE,
Washington, November 27, 1889.

SIR: In further reply to your letter of September 5 last concerning the request of Mr. Kutner to be permitted to enter Russia, I have to say that our legation at St. Petersburg informs the Department that Mr. Kutner's request is still held for consideration by the Russian Government.

I am, sir, etc.,

ALVEY A. ADEE,
Second Assistant Secretary.

No. 51.

Mr. Wurts to Mr. Blaine.

No. 70.] LEGATION OF THE UNITED STATES,
St. Petersburg, December 7, 1889. (Received December 23.)

SIR: Referring to previous correspondence relating to the petition of Mr. Adolph Kutner for permission to visit Russia, I have the honor

to transmit to you, herewith inclosed, a copy and translation of a note just received from the Russian foreign office, by which it will be seen that before arriving at a decision on the subject the Imperial Government desires to be furnished with information on certain points, enumerated in the note, in the early history of Mr. Kutner.

I remain, sir, etc.,

GEORGE W. WURTS.

[Inclosure.]

General de Vlangaly to Mr. Wurts.

No. 9584.] IMPERIAL MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT OF THE HOME RELATIONS,
St. Petersburg, November 24 [*December* 6], 1889.

M. CHARGÉ D'AFFAIRES:

Referring to the ministerial note of October 25, [November 6] last, under No. 8924, I have the honor to inform you that the assertion of Mr. Adolph Kutner, that he was born in the Government of Warsaw, has not been confirmed, and that no one has been found there who ever knew him.

Before deciding the question as to whether Mr. Kutner may return to Russia, the Imperial Government should be informed on the following points: The place of birth of said person, his age, the religion professed by him, the date when he left Russia, what passport he carried in leaving for abroad, and if he was duly authorized to abandon Russian nationality to become a citizen of the United States.

Accept, M. Chargé d'Affaires, etc.,

A. VLANGALY.

No. 52.

Mr. Blaine to Mr. Wurts.

No. 73.] DEPARTMENT OF STATE,
Washington, January 10, 1890.

SIR: I have received your No. 70 of the 7th ultimo, inclosing copy of a note from the Russian foreign office in regard to the request of Mr. Adolph Kutner to be permitted to visit Russia. This note requests that Mr. Kutner shall answer certain interrogotaries concerning his life and past history, among them one as to the religion professed by him.

In conveying the inquiry of the imperial foreign office to Mr. Kutner this Department found itself unable to interrogate him as to the religion professed by him, inasmuch as the Constitution of the United States prohibits the application of any religious test whatever in respect of citizens of the United States.

I am, etc.,

JAMES G. BLAINE.

No. 53.

Mr. Solomons to Mr. Blaine.

NEW YORK, *July* 30, 1890.

DEAR SIR: A press dispatch, dated yesterday, in London, states that "a wholesale expulsion of Jews from Russia is impending," and that "an influential deputation left London for Paris to-day to urge the French Government to interpose in the behalf of the Jews in Russia."

This may or may not be true, but there are certain indications which make it possible, and I trust that you will feel authorized to ascertain the facts from the Russian legation in Washington, or, failing in that, to wire to our legation in St. Petersburg for the facts, and if the statement be found true, that with your usual kind-heartedness and directness of purpose, will enter an earnest protest on the part of our Government and a common humanity against such an inhuman ukase.

Your prompt attention will confer a great obligation upon

Yours, truly,

A. S. SOLOMONS,
General Agent.

No. 54.

Mr. Solomons to Mr. Adee.

NEW YORK, *July* 31, 1890.

MY DEAR SIR: I telegraphed you this morning the following:—

NEW YORK, *July* 31, 1890.

Hon. A. A. ADEE,
Assistant Secretary of State, Department of State, Washington, D. C.:

Kindly telegraph me if Department will take action on my letter of yesterday, or will you telegraph points to Secretary for his information.

A. S. SOLOMONS,
45 *Broadway.*

Which had reference to a letter I wrote to the Secretary of State on the 30th instant, a copy of which is herewith inclosed.*

Yours truly,

A. S. SOLOMONS.

No. 55.

[Telegram.]

Mr. Wharton to Mr. Wurts.

DEPARTMENT OF STATE,
Washington, July 31, 1890.

Inquires whether there is any truth in the current rumor that a wholesale expulsion of Jews from Russia is contemplated.

No. 56.

[Telegram.]

Mr. Wurts to Mr. Wharton.

LEGATION OF THE UNITED STATES,
St. Petersburg, August 1, 1890.

Reports that there is no foundation for the rumor of intended wholesale expulsion of Jews from Russia.

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* Inclosure printed above.

No. 57.

Mr. Adee to Mr. Solomons.

DEPARTMENT OF STATE,
Washington, August 4, 1890.

DEAR SIR: On receipt of your letter of the 30th ultimo, in relation to the rumored wholesale expulsion of Jews from Russia, a telegram of inquiry was sent to the United States legation at St. Petersburg, and Mr. Wurts's reply states that the rumor is unfounded.

I am, etc.,

ALVEY A. ADEE,
Second Assistant Secretary.

No. 58.

Mr. Wharton to Mr. Wurts.

No. 37.] DEPARTMENT OF STATE,
Washington, August 5, 1890.

SIR: I inclose for your information and files, in connection with the Department's No. 36, of the 2d instant,* giving the text of recent telegraphic correspondence regarding the rumored expulsion of Jews from Russia, a copy of a letter from Mr. A. S. Solomons, of New York, dated the 30th ultimo, upon the subject.

Mr. Solomons has been apprised of your statement that the rumor had no foundation in fact.

I am, sir, etc.,

WILLIAM F. WHARTON,
Acting Secretary.

No. 59.

[Telegram.]

Mr. Wharton to Mr. Wurts.

DEPARTMENT OF STATE,
Washington, August 7, 1890.

Refers to the current report that the Government of Russia intends to enforce the edicts of 1882 against all Jews in the Empire. Asks what is the purpose of those edicts. Directs Mr. Wurts to make report by mail of all that he can learn on the subject, and to telegraph a brief summary of the nature and scope of the edicts.

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* Inclosure printed above.

No. 60.

Mr. Wharton to Mr. Wurts.

No. 38.] DEPARTMENT OF STATE,
Washington, August 8, 1890.

SIR: I append on the overleaf a copy of my telegram* to you of the 7th instant, in regard to the rumored enforcement of the Russian edicts of 1882 against all Israelites in that country.

The Department desires the fullest possible data in regard to this important matter, which should include, if possible, a copy of the edicts themselves.

I am, sir, etc.,

WILLIAM F. WHARTON,
Acting Secretary.

No. 61.

[Telegram.]

Mr. Wurts to Mr. Wharton.

LEGATION OF THE UNITED STATES,
St. Petersburg, August 9, 1890.

States that he has the highest authority for maintaining that the Russian Government does not contemplate any change from the present lenient enforcement of the edicts of 1882. It is not practicable to make telegraphic summary of the general legislation in relation to Hebrews in Russia, which, if applied, would be of an oppressive character, but will mail copies as soon as they can be obtained.

No. 62.

[Telegram.]

Mr. Wurts to Mr. Wharton.

LEGATION OF THE UNITED STATES,
St. Petersburg, August 14, 1890.

Gives substance of the edict of May 12, 1882. For full text of the edict see No. 63, following.

No. 63.

Mr. Wurts to Mr. Wharton.

No. 32.] LEGATION OF THE UNITED STATES,
St. Petersburg, August 14, 1890. (Received August 28.)

SIR: In obedience to your telegraphic instruction, received August 8, I have just cabled you a dispatch of considerable length, though briefer than which could not be made without impairing its significa-

* Inclosure printed above. To Mr. Wurts, August 7, 1890.

tion, a copy of which I transmit herewith marked inclosure 1,* giving the scope of the ukase of May 12, 1882, relating to the laws governing the Jews in Russia. I send at the same time, marked inclosure 2, a copy of the ukase itself as furnished me by Mr. Robert King, a highly respected lawyer of this city, of English origin, consulted by me in this matter, not only to obtain a copy and translation of this decree asked for by your telegram referred to, but for general information on the present situation of the Jews.

I have nothing to add to the information given in my last dispatches on this subject. So far as this capital is concerned there is no agitation whatever about the rumors of new laws or severe application of old laws against the Jews, and, so far as the near future can be answered for, I have met with no one giving faith to the rumor, coming from abroad, of terrors awaiting the Jews in Russia.

I have, etc.,

GEORGE W. WURTS.

[Inclosure No. 2.]

No. 1386.] August 1, [13] 1890.

[Translation from the Russian.]

COLLECTION OF ORDINANCES AND ENACTMENTS OF THE GOVERNMENT.

12 May, No. 43, (1882.)

272. Respecting the bringing into effect of temporary regulations relating to the Jews.

The committee of ministers after hearing the report of the minister of the interior with regard to the bringing into effect of the temporary regulations relating to the Jews, resolved:

(1) As a temporary measure and pending the revision, in the order established, of the laws relating to the Jews, to prohibit the latter in the future from settling anew outside of towns and boroughs, with an exception in this respect only of at present existing Jewish colonies engaged in agriculture;

(2) To suspend temporarily the conclusion of deeds of sale and mortgage bonds in the name of Jews, and similarly the attestation, in the name of Jews, of leases for real estate situated outside the delimitation of towns and boroughs, and of powers of attorney for the management and direction of such estate;

(3) To prohibit Jews from trading on Sundays and the chief Christian holidays with the provision that the closing on the days indicated of the trading establishments belonging to Jews should take place in the order established for such purpose in regard to trading establishments belonging to Christians;

(4) The measures indicated in pages 1–3, are only to be applied in those provinces wherein the Jews permanently reside.

On the 3d of May, 1882, His Majesty the Emperor was pleased to imperially confirm this resolution of the committee of ministers.

(True translation.)

Quad attestor.

[SEAL.] CHOUMANINE,

Sworn Translator to the St. Petersburg District Court.

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* Printed above.

No. 64.

Mr. Wharton to Mr. Wurts.

No. 43.] DEPARTMENT OF STATE,
Washington, August 25, 1890.

SIR: Your dispatch No. 26 of the 1st instant in relation to the rumor of a contemplated wholesale expulsion of Jews from Russia, has been received, and the purport communicated (but without disclosing the source of your information) to Mr. A. S. Solomons, the American representative of the Baron de Hirsch fund, who has made inquiries of this Department in behalf of his co-religionists.

The telegraphic instructions sent to you will have shown the great interest and anxiety which is here felt in regard to this report, not only by Russian Jews naturalized in this country and having relatives in Russia, but by the great body of Israelites who, through their industry, good order, and devotion to our institutions, make up a large and honored class of our citizens. Your reports have so far afforded a reassuring confirmation of the belief here entertained that the rumor was indeed groundless, and that the enlightened Government of His Majesty the Czar could not possibly contemplate a measure so calculated to wound the universal sense of humanity and justice, and so conspicuously at variance with the progressive spirit of the century in which we live. Your further promised reports on the subjects are awaited.

I am, sir, etc.,

WILLIAM F. WHARTON,
Acting Secretary.

No. 65.

[From the London Globe, August 1, 1890.]

THE CONVENTION OF THE JEWS IN RUSSIA.

To-day the Jewish Chronicle publishes a special supplement containing information as to the position of the Jews in Russia, and in commenting on the situation our contemporary urges that it should be dealt with calmly. Mere declamation will do little. The voice of reason may penetrate in time to the recesses of the Emperor's Cabinet. An explanation of the present reaction against the Jews in Russia has not yet been given, but we fancy (continues the Jewish Chronicle) that the true theory on the subject will be found to be as follows: For a long time it was the desire of the Czar to Russianize their Jewish inhabitants, an excellent and laudable wish, but the Old World Rabbinism somewhat resisted. Thawed by modern ideas, especially by the gradually penetrating influence of the school of Mendelsohn and by the journeys of Sir Moses Montefiore, the Jews at length began to move and the Russian Government accelerated the motion by a partial receptivity. The old restrictions were not repealed, they were neglected and laxly administered. All Russia was not in name thrown open to reside in, but Jewish colonies formed themselves in cities hitherto tabooed, and were not expelled. As the railways opened up the country, the settlement of Jews was encouraged along their route by the special permission that three Jewish families might establish themselves at every station.

Jews must go to the universities and learn Russian. Liberty, however, was not conceded completely. The Jewish youth, educated at the price of immense sacrifices, was often debarred from the situations in which his prized acquisitions would be valuable, was often forced back into poverty and despondency. Then came the Nihilist agitation, and some few among those discouraged and starving Jewish students, fired with the enthusiasm of humanity, joined their college comrades in the dream of a near future of liberty to be gained by political revolution. As to Nihilism, everything that is done in Russia is done in a panic of fear, and nothing is so cruel as fear. That even a few of the half-educated, half-emancipated Jews should become Nihilists, proved at once to the panic-stricken men at the head of the Government machine that education and an approach to emancipation turned all Jews into traitors. They had never rebelled before they were Russified; if Russification threw them into the hands of the Nihilists, the attempt to make Russians of them was a disastrous one, and the steps of the Government in that direction must be retraced. It did not occur to the startled bureaucracy that the evils begotten of imperfect emancipation are best cured by a frank and full concession of all the coveted privileges.

No. 66.

[From the Novoe Vremya.]

The Novoe Vremya of August 3, commenting on the article in the Times of the 30th of July, remarks that it is unworthy of so important an organ to print such nonsense, as no one in Russia had heard of a project to drive 4,000,000 Jews out of the country. To begin with, there are nearer 8,000,000 than 4,000,000 Jews in Russia.

"If, however" [the writer goes on to say], "it were possible to get rid of the Jews by wholesale banishment, it would be advantageous to raise a loan even for giving assistance and premiums to those who left the Empire. Unfortunately the Jewish question could not be radically decided by means of banishment."

A further article, on August 5, says that the Times had chosen a time of peace to publish its article about the Jews in Russia, even threatening Russia with a rupture of diplomatic relations with all "civilized countries." The writer then quotes with evident satisfaction the statement made in the House of Commons, that no new measures against the Jews in Russia had been taken of late. After a sarcastic allusion to the Parnell case, and the forged-letter incident, the article says that the Times has now given an asylum in its columns to suspicious Jews who had used the journal in a shameful fashion. Many absurdities were published about Russia in foreign journals, but such an impudent lie had not appeared for a long time.

The Novoe Vremya of August 6, in a third article, says that the Times has now come out in its true colors, and quotes a sentence from that journal to the effect that England must protect herself against an invasion of the Jews from Russia, thousands of whom would quit that country and appear in western Europe. "This shows," the writer says sarcastically, "that in England the defense of the Jews has taken a very strange form, that of recommending the authorities to take measures to prevent an invasion of Jews who might injure the labor interest of that country. On our side," he says, "we acknowledge this last point of view of the Times to be well founded, and we can only won-

der that a journal which is afraid of an invasion of a few hundred, or a few thousand Jews should not understand that Russia is not particularly pleased to have not merely four, but eight millions of Jews permanently resident in the Empire."

No. 67.

[From The American Hebrew, August 15, 1890.]

The London Times prints the following abstract of the repressive edicts directed against the Jews:

"1. Jews throughout Russia (and including Russian Poland) must henceforth reside in towns only, and not in the country. No Jew will any longer be permitted to own land or even to farm land. All Jewish land-owners, farmers, and agricultural laborers will thus be expelled from their village homes, and, unless they have saved the means of subsistence, will be reduced to beggary. To intensify the severity of this edict, and widen its scope, the Government officials have included many hundreds of small towns in the category of country villages and expelled the Jews from those towns. In this manner the number of sufferers from the edict is greatly augmented. Tens of thousands of souls will be thus rendered homeless. These laws, known as the "May laws," were promulgated in 1882, but were never put into force until the present year.

"2. Jews have hitherto been allowed by law to reside in only sixteen of the counties (*gubernia*) of Russia. But the law has not been enforced against such as Riga, Liban, Rostolf, etc.; for, by a ministerial circular of 1880, Jews long established in such towns were permitted to remain there unmolested. The law is now to be strictly enforced, and, by a recent ministerial order, all Jews, numbering many thousands of families, settled outside the sixteen counties are to be expelled.

"3. Jewish artisans who in like manner had, under the law of 1865, been permitted to settle temporarily in places outside the sixteen counties are now to be expelled from these places. Tens of thousands of artisans with their families will, it is said, be affected by this edict, and rendered homeless.

"4. Jews are no longer to be allowed to be in any way connected with mines or mining industry, nor even to hold shares in any mine.

"5. The Jews will henceforth be practically debarred from partaking of any educational advantages, whether in schools, gymnasia, or universities. Hitherto they have been allowed admission subject to the limitation that their number should not exceed 5 per cent. of the total number of students. Secret instructions have already been sent requiring the reduction of this small percentage to still lower limits, and from many of the higher educational institutions all Jewish students have been expelled.

"6. The legal profession, in which heretofore a large number of Jews in Russia have achieved great success, will in future be closed to Jewish students. A law has already been put in force requiring the special sanction of the minister of the interior before a Jew qualified by examination may practice. Since the promulgation of the law not a single sanction has been given, and it is understood that none will be given.

"7. Jews are henceforth prohibited from following the profession of engineer or army doctor, or from filling any Government post however subordinate."

No. 68.

[From The New York Times, Sunday, August 24, 1890.]

UNDER THE CZAR'S EMPIRE—LAWS RELATING TO THE GOVERNMENT OF JEWS IN RUSSIA—EXTRACTS FROM THE CODE—ATTITUDE OF THE ORTHODOX GREEK CHURCH TOWARD OTHER CREEDS.

There has come into the possession of the New York Times a volume with this title:

Законы о Евреяхъ.
Сборникъ извлеченій
Изъ Свода Законовъ Россійской Имперіи
Дѣйствующихъ о Евреяхъ Постановленій.
Составилъ А. Н. Гусевъ.
Харьковъ.
Изданіе Книжнаго Магазина В. и А. Бирюковыхъ,
1889.

The translation of this title-page from Russian to English is as follows:

Laws in Relation to the Jews.
Extracts from the
Code of the Russian Empire
Dealing with Jews
Collected by A. N. Gussief.
Charkoff:
Published by W. & A. Birukoff.
1889.

The place of publication, Charkoff or Kharkov, is the capital city of the district of Kharkova, and one of the great fairs of Russia is held there. Its distance west from Moscow is some 420 miles.

The volume is made up of 290 pages of closely-printed matter, and it contains what is believed to be the entire legislative acts of the Russian Empire relative to the Jews. In the volume references are often made to edicts as being the same as those controlling sects other than those of the Orthodox Greek Church, but the regulations regarding Jews, having to do with their social, economic, and political status, make up the bulk of the volume.

It would be impossible to give but a tithe of this book. The matter, however, now printed for the first time in the United States, has not been subjected to any process of selection. The translation is perfectly colorless, and an endeavor has been made to follow in English the exact meaning of the Russian text. As to the authenticity of the volume, no possible doubts can be raised. It is printed for the use of Jews in Russia, and must have the authority of the Government. Whether intended for study outside of Russia is not known.

Considering the many rumors rife in Europe and in the United States regarding the conditions to be imposed on the Jews in conformity with the edicts of 1882, the translations given below will be found at least opportune. The possibility of the forced migration of some millions of Russian Jews to other countries may give rise to many grave questions. In giving the bald facts, without comment, following out the somewhat awkward phraseology of these edicts, what the will of the Russian Government is, not alone to Jews, but to all others not of the Greek Church, may be understood,

TRANELAHON.

In order to preserve the privileges of the orthodox church and the freedom of other religions tolerated by the State, the administration of the county police is to see that without the decision of the highest administration no new churches are to be built, nor can prayer-houses nor any other buildings be erected devoted to service of a heterodox community.

As members of the municipal council, every person having a right to vote on elections may be elected, including also such persons who have received such a right on authorization. (Sections 20 and 21.) But the number of non-Christian members must not surpass one-third of the whole number of members.

Jews can not be elected at the head of the municipality, nor can they act in their place.

Jews are subject to the fulfillment of all military duties, in accordance with the statutes of the code.

Jews who possess the diploma for the profession of a physician may enter upon government offices in the medical divisions of the western provinces, and in all provinces of Neorussia and Bessarabia, in which provinces only Jews are allowed to live permanently. Jews having a diploma from the university as doctors of medicine or surgery are admissible to Government offices in all provinces, without limitation to that part assigned to the Jews as their permanent dwelling place.

In order to prevent the Jews from avoiding military duty, in the passports given out to those who are subject to the call, their special marks must be stated, as birth-signs, exterior marks, etc.

The county, district, and town committees having in charge military duties are required to subject those Jews to whom delays have been granted on account of weakness or immaturity to sudden examinations, indifferent to the rules governing the actions of the above committees.

For the capture of a Jew who has tried to avoid the fulfillment of his military duty a reward will be given. The amount has been fixed by the minister of the interior, and will be taken from a special credit assigned for this purpose.

As a temporary measure, and until the general examination of the laws referring to Jews is concluded, Jews are not to be allowed to settle outside of cities and towns. An exception is only to be made in reference to Jewish colonies of farmers existing before 1882. This measure is only to be made use of in the districts of the permanent settlement of the Jews.

By a circular of the finance minister of May 25, 1870, it is explained that in giving out the certificates and licenses to Jews for permission to trade or to carry on professions outside of the settlement region, permits are to be required from them as to their right to live and pursue trade or a profession in that locality. Without showing such permits no business can be carried on.

"ART. 363. Jews are allowed to sell intoxicants only in those localties which are assigned as their permanent settlement places, but even there only in houses which they possess as their own. Jewish waiters are to be employed only by their co-religionists.

"ART. 701. No Jew is to be appointed even in the lowest ranks of the frontier guard.

"ART. 1,231. In case of the printing of books written in the Hebrew language which have been secretly forwarded, on discovering these the custom-house officers are bound to send them directly, on their

own account, to the Wilna or Warsaw censure committee, respectively, and to report to the department of custom levies how many books of this kind have been sent.

"Hebrew books coming from foreign countries, as soon as they enter the custom-house, are to be separated from others, and, after having been sealed with lead, are to be forwarded to the Wilna or Kieff censura committee.

"ART. 12. Jews are not allowed to pursue mining industries on crown land, nor to hold shares in any mines, provided the latter are situated in those localities in which the Jews are not allowed to settle permanently.

"ART. 13. Persons excluded from the right of pursuing mining industries are not allowed to be attorneys of other persons in mining affairs. The same regulations apply to the pursuance of gold mining.

"ART. 33. Persons not having a right to engage themselves in good mining, as well as persons who have lost this right, are bound to sell or hand over mines left to them or belonging to them, and equally all shares in such, in course of two years; the former from the day they have acquired the mines or shares, and the latter from the day they have lost their right to them.

"ART. 22. Jews are not permitted to farm crown estates let on lease them in such localities in which Jews are not allowed to settle permanently.

"ART. 35. The temporary owner of a crown estate in the western and Baltic counties may let on lease to all other persons excepting Jews. Persons of Polish descent or Jews are not admitted to public auctions for the purpose of buying (crown) estates.

"ART. 957. Jews are nowhere entitled to use special clothes. Jewesses are not allowed to shave their heads."

In the 9 western counties, Jews without any exception are prohibited from acquiring land from estate owners or peasants.

In view of a temporary measure, and till the general revision of the regulations relative to Jews, the latter are prohibited to settle anew outside of cities and towns, admitting, in reference to this, only such an exception as regards the Hebrew farming colonies existing before 1882. (Regulation of 1886.)

According to a special interpretation given by the government December 29, 1887, Jews are absolutely prohibited from emigrating from those country places where they have lived.

Mortgages held in the names of Jews are to be temporarily suspended; nor shall there be given out certificates for lease in the name of Jews. This is the law in regard to real estate outside of the settlement region, nor can authorizations be had for administrating and managing such estates.

Real estate which is not occupied by Jews outside of those localities where they are allowed to possess land must be sold within six months. This regulation applies also to Jews of foreign countries who inherit estates in Russia.

For the management of post stations outside of cities and towns, if such are disposed of at auction and secured by Jews, the Jews are bound to select Christian attorneys.

ART. 964. Jews who have embraced Christianity are allowed to select for themselves their tax rate and to enter into either town or village community. Embracing Christianity, Jews are released from their former communities and obligations.

On the proposition of the minister of popular enlightenment the

Emperor ordered on June 7, 1885, that there must be a limit to the admittance of Jews to the Charkoff Technological Institute. On March 7, 1886, the law was passed prohibiting the admittance of Jews to the Charkoff Veterinary Institute.

December 5, 1886, the cabinet of ministers through the minister of popular enlightenment have introduced indispensable measures limiting the number of students in higher educational institutions of Jewish youth, of whom a very considerable number are now to be found in various universities. Thus it was deemed necessary to limit the number of Jewish students within the settlement region to 10 per cent., outside of that region to 5 per cent., and in both capital cities to 3 per cent. of the total number of students of each university. In December 5, 1886, and June 26, 1887, the cabinet urged the ministers of popular enlightenment to introduce a measure for limiting the number of Jewish children in the intermediary (secondary) schools. On July 6, 1887, the minister ordered that from the beginning of the school year 1887–'88 Jewish children should be admitted to the intermediary schools of the circle to which they belong in localities within the settlement region to an amount of 10 per cent., in localities outside of that region to 5 per cent., and in the capital cities to 3 per cent. of the total number of schoolboys applying for admittance at the beginning of each school year, including also such schoolboys as come over from one school to another or from a progymnasium to a gymnasium. In addition to this, according to the circular of June 18, 1887, the officers of the schools are allowed to admit only those Jewish children whose parents have given a satisfactory guaranty for regular domestic supervision and for supplying their children with all necessities.

The board of schools in the ministry of education, judging the question whether Jewish school-boys should be exempted from written examination in intermediary schools on Saturdays, have declared that the exemption of Jewish school-boys from work on Saturdays would be a hindrance to the regular course of the school plan; that on entering public educational institutions the Jews are obliged to subject themselves to all demands, and that their entrance to such institutions serves as evidence that they and their parents are no longer bound to that exclusiveness which demands the severest observance of Saturday. Since the gymnasia and other intermediary and higher educational institutions are in a Christian country, they can not but be other than Christian educational institutions, and they are, therefore, by no means bound to accommodate themselves to Jewish or Mohammedan festivals and religious habits. If, on account of local circumstances, Jewish children should be exempted from school work on Saturdays, the school officers must unrelentingly demand from pupils an acquaintance with the lessons imparted on those days. From the beginning of the school year 1875–'76 stipends are not to be henceforth awarded to Jews and Jewesses in the public educational institutions from the funds assigned for the enlightenment of the Jews.

"ART. 987. A Jew can not be elected as mayor of a town, or as a councilor in the town, police or oral judge. (Oral courts are such in which all transactions are oral.) In the same way Jews are not admitted to any other town office. Such are exclusively reserved for Christians. Obligations of judges can not be intrusted to Jews with convenience and decency.

"ART. 992. Foreigners who are Jews are not allowed to settle in Russia, nor to become Russian subjects.

"ART. 1,001. For Jews who are foreign citizens the following regu-

lations have been made: Jews who are foreign citizens and known for their social position and having extensive business transactions, coming from foreign countries to Russia, are allowed to enter on the ground of a special decision from the ministers of finance, interior, and foreign affairs (such a decision to be applied for every term of their visit), and to transact business in the empire and establish banking offices, after having received trade certificates of the first guild. They are allowed to build factories, to acquire and rent immovable uninhabited estates, with the observance of the regulations laid down in the laws on estates. In the same way Jews who come into the realm of the empire temporarily for the purpose of purchasing and exporting Russian products, may be given trade certificates of the first guild with the mutual consent of the ministers of finance, interior, and foreign affairs. Foreign Jews, especially agents of important foreign commercial firms, are allowed to visit certain manufacturing and business seats in Russia in accordance with the regulations laid down in the Code on Passports."

Foreign Jews who do not have such a permit as demanded by section 5, rem. 3 to article 128, Code of Commerce, and present a certificate of having embraced Christianity, must show proofs of their having really joined the Christian faith. They must have been baptized in accordance with the ceremonies of one of the foreign denominations of the Christian faith tolerated in the empire. Foreign Jews who, according to the above regulations, have been allowed to transact business in Russia, do not enjoy the right to employ outside of the limits of the Jewish settlements Jewish clerks.

"ART. 3. Jewish manufacturers may forward for sale products and manufactures of their own factories to the Jews of Nishni Novgorod, Irbit, Koren, Charkoff, and Sinn, but foreign manufactures which are so stamped by custom-houses can not be forwarded by Jews to the above fairs, though these manufactures may have received some change in the factories; for instance, the giving to them another color or the like. Jewish manufacturers who wish to enjoy the right of forwarding their manufactures to fairs in interior counties must, at any rate, furnish them with their own trade stamp.

"ART. 6. Jews are prohibited from forwarding goods in their capacity as agents or employés from frontier custom-houses to localities where permanent settlement is prohibited to them.

"ART. 81. Should one of a married couple originally belonging to the Jewish faith be converted to orthodoxy while the other remains in the former faith, but wishing to live together, they are to be left in marriage without compelling them to be divorced, but they are bound to follow these rules. The married person who is converted must take care to bring the other party over by means of persuasion to the orthodox church. If husband or wife, in case one of them is converted, should refuse to live with the other, the marriage is dissolved, and the converted man or woman is allowed to marry an orthodox person. But in case the marriage is not dissolved, neither husband nor wife are allowed to live outside of the Jewish settlement.

"ART. 87. The marriage of Russian subjects of evangelical confession with Mahommedans and Jews takes place in accordance with the regulations laid down in the code on the Evangelico-Lutheran Church in Russia.

"ART. 330. Jews are admitted to the witness-stand on Christian affairs in all the counties of White Russia and the western counties alike with all Russian subjects, but on affairs of Jews who have embraced Christianity their former co-religionists, *i. e.*, Jews, are admitted to the wit-

ness-stand in the Jewish settlement only when there is no sufficient number of Christian witnesses.

"ART. 210. Marriages of persons of the Evangelico-Lutheran denomination * * * with Jews are allowed on the following conditions: 1. That the persons confessing the Christian faith may first apply for and receive a permit from the local consistorium. 2. That the marriage ceremony should be performed only by an Evangelico-Lutheran minister and according to the ritual of that Church, and by no means according to that of * * * the Jews. 3. That the other side must bind itself by a written act to baptize and bring up children who might eventually spring up from this marriage in the Evangelico-Lutheran faith, or, if both sides agree to, in the orthodox faith, and to be ready in the opposite case to be submitted to the severest punishment; and they should promise also not to try to convert husband, or wife, or children to its own faith, nor to hinder them in the free pursuance of their religion. In addition to this, the non Christian party must, by marrying a Christian, renounce polygamy.

"ART. 701. The baptism of a Jew must take place only in city churches, on a Sunday or holiday, in the presence of those assembled for communal service, and with all possible solemnity. The baptized persons, provided they have reached the necessary age (art. 166), fifteen years, must partake of the Holy Communion.

"ART. 1062. In every town or settlement where the number of Jewish houses does not surpass thirty, only one prayer-house is allowed; where the number of houses does not surpass eighty they are allowed to have, besides, a prayer *schule*, also a synagogue; but where the number of houses is beyond eighty, one *schule* is allowed for every thirty, and a new synagogue for every eighty houses."

Jewish merchants who for business purposes live in St. Petersburg and Moscow must, by special petition sent in to the mayors of St. Petersburg and the general governor of Moscow, state the number of Jewish clerks and domestics absolutely necessary in moving to the named capitals. The granting of such petitions and the determination of this number is according to the will of the mayor or general governor respectively. Jewish merchants registered in other cities than those named may take of their co-religionists not more than one clerk or office man and four domestics of both sexes for each family.

Although Jewish merchants of the first guild, etc., may have had their children with them in the privileged counties for ten years, as soon as the latter begin to transact business for themselves they are not entitled to similar rights.

The Kieff police in May, 1888, established the regulation that Jews who have been three times convicted of having lodged Jews who have no right to reside in the city of Kieff, are to be deprived themselves of this right and at once banished from the city.

"VII. Till the general revision of the temporary laws on Jews the following regulations are to be observed: In the territory of the Don, Jews are prohibited from owning farms or real estate and can not settle permanently on legal passports. This regulation in regard to settlement does not apply to Jews in possession of the academic degree of a doctor of medicine and surgery or a doctor of medicine, and equally of that of a doctor, master, or candidate in other faculties of a Russian university, as well as those appointed to service by the administration.

"ART. 19. Jewish cutters and tailors are allowed to settle in the neighborhood of regiments and military academies in the inner countries only for the term of their agreement with the military govern-

ment, but not more than one such Jew for each regiment and military academy, and in addition to it under the supervision of the local police. These Jews must fulfill the regulations laid down in the laws relating to their manner of living in localities outside of the Jewish settlement. It is severely prohibited for them to engage in almost any other profession or money transactions.

"ART. 20. In the counties of Vitebsk and Mogileff the Jews are permitted to construct roads in villages, with the condition that they have no right to permanent residence after the expiration of the time of the work.

"ART. 30. Jews are not allowed to live in or enter Siberia within the limitations found in the code on banishment.

"ART. 31. Since women, according to the common law, follow the rank of their husbands, Jewish women married to Christians may live in the same places as their husbands; but in such cases, when a Jew embraces Christianity and his wife remains in her own faith, and their marriage has not been dissolved according to the civil laws, neither the one nor the other is permitted to live permanently in those countries where Jews are not allowed to settle.

"ART. 32. The mayor of Sebastopol and the military governor of Nicolaieff have a right to allow in the cities intrusted to their care the widows and mothers of the lower ranks (military Jews) who are employed in the naval department, and who reside, on account of their service, permanently in the named cities, but not unless an accurate conviction is gained of the virtuous character of such widows and their impossibility to gain a livelihood without the aid of their children.

"ART. 46. In performing the holy baptism on a Jew the ecclesiastical consistorium is bound to inform the local county administration of that place from whence the necessary certificate has been given to him for the purpose of embracing the orthodox faith, in order that he may be henceforth named in the rank in which he is a convert from the Jewish faith to the orthodox denomination, and under that name which he received on baptism. This is to be stated also in the acts given to converts for the purpose of free residence in their places of living and traveling to any place for the purpose of commerce, industry, or some other cause; if he is in a military or any other position, the same is to be stated in the testimonials given to him on being dismissed from the army.

"ART. 62. Endeavors to induce persons to become heretics, as well as every exterior appearance of heresy on the part of its followers and every action which is liable to give offense, are strictly prohibited. In 1825, in reference to Jewish heresy, it was explained that by 'exterior exposing to view' was meant any gatherings from various houses into one for the purpose of prayers, circumcision, wedding, burial, and other ceremonies having no similarity with those of Christians. By offenses is meant every action antagonistic to Christianity, and especially mockeries at the regulations of the Church and its followers. At the same time it was explained that the Subbosniks and Judaizers really are Jews, since they observe the Mosaic law, that this sect has arisen among the Christians from native Jews who lived among Christians, and that its essence consists in the observance of the Jewish holidays and ceremonies.

"ART. 73. The principal and dominating faith in the empire is the Christian orthodox Catholic of Oriental derivation. But all not belonging to the members of the dominating church who are subjects of Russia, native or accepted as subjects, as well as foreigners being in

Russia or temporarily residing in Russia, enjoy all the rights to follow their faith and do services according to its ceremonies; this right of freedom of religious exercises does not apply only to Christians of any other denomination, but also to Jews.

"ART. 85. The above regulations of toleration, which the Government observes, bind every ecclesiastical power and every private person of any other Christian denomination, or of any other non Christian faith, not to mingle itself with affairs of belief in persuading the conscience of followers of any other faith.

"ART. 93. A follower of any other belief who has converted a Russian subject to his own faith, in whatsoever a manner or under whatsoever a pretext, is subject with the convert to trial by virtue of the code on punishments.

"ART. 94. Jews may, if they wish, accept the Christian faith of any tolerated denomination, according to the regulations especially laid down by the clerics for this purpose, with the permission of the minister of the interior, and without such if the person to be converted is in a dangerous sickness.

"Minor Jewish children may be joined to one of the tolerated Christian denominations without requiring a special permission of their parents (1832).

"ART. 107. Persons of non-Christian faith are prohibited from painting images, making crosses, or similar subjects of honor among Christians, as well as to traffic with all named subjects (f. i.) with wax candles.

"CODE OF CENSURE AND PRINTING.

"ART. 158. Jews may receive permission to open, without any hinderance, but in accordance with the order established by this code, printing houses for the purpose of printing exclusively Hebrew books, in all localities within the Jewish settlement where the minister of the interior will find it possible and convenient to employ special Hebrew censors.

"CODE ON THE BANISHED.

"ART. 40. Jewish women are allowed by the common law to follow their banished husbands to Siberia, provided they themselves wish to do so. They may receive also a permission to take with them their minor children of male sex up to five and female sex up to ten; unmarried daughters also beyond that age, provided they themselves express such a desire. To allow such Jewish children to go to the communities can not be prevented, but husbands can not follow banished Jewesses and minor children. Only children at the breast are allowed to be taken, but not without the permission of their fathers.

"ART. 263. Jews banished to Siberia are not allowed to settle within a distance of 100 versts of the Chinese frontier.

"ART. 184. For inducing, by persuasion or any other means, any person to leave the Christian, the orthodox faith, or any other denomination, and go over to the * * * Jewish faith, * * * the guilty persons will be sentenced to be deprived of every right of rank and to banishment for a period of from eight to ten years. When in addition it has been proved that the person has used force, then the person is sentenced to be deprived of all rights of rank and to banishment with penal servitude for a period of from twelve to fifteen years.

"ART. 1886. If * * * Jews married to persons of Evangelico-Lutheran or Reformed denomination have, against their written prom-

ises, brought up their children not in the Christian faith, or have induced by threatenings or persuasion the other party or the children to go over to their faith, or have hindered them from freely practicing the ceremonies of their religion, the marriage is dissolved and they are punished by the deprivation of all rights of rank and by banishment.

"ART. 530. A Jew who has hidden a Jewish deserter, though for a very short time, or who has given him any aid in escaping, is punished by imprisonment in the houses of correction for a period from one to one and a half years. In addition, the Jewish community in which a deserter has been hidden must pay a fine of not more than 300 roubles for each person, provided it has not informed the administration of the fact.

"ART. 1171. Jews transacting business outside of the Jewish settlement, except such as is allowed to them in special regulations relating to such an occasion, are subjected to confiscation of their goods and immediate dismissal from their settlement.

"The excep ed persons from corporal punishment among Jews are: (34) All clerical persons of non-Christian denominations and their children; (36) Jewish colonists who have distinguished themselves in husbandry and received gold or silver medals; (3-) all aged persons of not less than seventy years.

"ART. 4194. Christians are prohibited from serving as domestics in Jewish families."

JEWISH PASSPORTS.

Outside of the Jewish settlement Jews are allowed to reside temporarily, for the purpose of accepting an inheritance; for the purpose of searching for legal rights of property in judicial and administrative localities; for business and for the sake of auctions on deliveries of goods to take place within the Jewish settlement. For all such cases the police administration may allow a Jew to reside not more than six weeks—to remain longer depends upon the county administration, provided sufficient reasons for prolongation of stay are given; but the county administration can not prolong the stay for more than two months without permission of the higher administration.

Jewish female teachers are not allowed to live outside of the Jewish settlement. Jews, natives of the empire and the counties of the realm of Poland living under the name of Christians in places where Jews are not allowed to reside, are to be immediately sent back to the counties where alone they have a right of residence.

NOTE.

The following dispatch from the United States Minister at St. Petersburg was received at the Department of State after the foregoing correspondence had been sent to the printer, and it is included here as pertinent to the resolution:

Mr. Smith to Mr. Blaine.

No. 44.] LEGATION OF THE UNITED STATES,
St. Petersburg, September 25, 1890. (Received October 14.)

SIR: You have been advised by previous dispatches from this legation that the published rumors of new proscriptive measures or the re-

vival and oppressive application of old and obsolete edicts against the Hebrew residents and subjects of the Russian Empire are declared by the Russian Government to be entirely groundless. Notwithstanding the authoritative denial of these reports they still crop up from time to time and are persistently repeated with a degree of circumstance well calculated to create the impression that they have some foundation of fact. This continued imputation of purpose and acts, to which, if really entertained or executed, we could not be indifferent, renders it proper that I should apprise you of some further evidence on the subject.

The statement recently appeared in the columns of the London Times that despite the disavowal of the Russian Government some five or six hundred Hebrew families residing at Odessa had been summarily notified that they must immediately abandon their homes, and in fact that they had already been expelled from the country. It has come to my knowledge that, in view of this publication, the British embassy at this capital called on the British consul at Odessa to investigate the story and report upon its truth. His report has now been made, and I am able to communicate its substance. He directed his inquiries not only among the government officials, but among the Hebrews themselves, and the latter were as emphatic as the former in declaring that no order of the character described had been issued and no movement of the kind attempted. He found no confirmation of the story in any quarter. A number of Hebrew families had emigrated or were preparing to do so, but this action was entirely voluntary on their part and was not taken under compulsion. This emigration was explained by the rabbis and the highest authorities among the Hebrews as due to the fact that there were many youths in these families, and that as the number admitted to the universities in Russia is limited they removed to other countries to secure the opportunity of higher education; and thus it was made clear that there was no foundation for the particular charge which had been preferred against the Government.

These reports of new proscriptive designs against the Hebrews on the part of the Russian Government have naturally created more concern in other countries than here because, so far as can be ascertained, they had their sole origin and obtained their only credence remote from the scene. Had there been any good reason for supposing that measures so repugnant to every sentiment of justice and humanity were actually undertaken or seriously contemplated, it would have been a duty to report them for such consideration as they would have required. But it is a source of special gratification to be able to present not only the denials of the Government, but confirmatory testimony that these injurious allegations are baseless.

I have, etc.,

CHAS. EMORY SMITH.

BSB Bayerische StaatsBibliothek
MDZ Münchener DigitalisierungsZentrum Digitale Bibliothek

House documents

Bd.: [413.] 1889/90, Vol. 37 = Congress 51, Sess. 1

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